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NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**STATE SUCCESSION IN THE CASE OF A UNIFIED KOREA
RESULTING FROM THE COLLAPSE OF NORTH KOREA**

by

Kim, Ju Hyun

December 2008

Thesis Advisor:
Second Reader:

Alice Lyman Miller
Edward A. Olsen

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**STATE SUCCESSION IN THE CASE OF A UNIFIED KOREA RESULTING
FROM THE COLLAPSE OF NORTH KOREA**

Ju Hyun Kim
Major, Republic of Korea Air Force
B.A., ROK Air Force Academy, 1996

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(FAR EAST, SOUTHEAST ASIA, THE PACIFIC)**

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ABSTRACT

One potential scenario regarding the future of North Korea is state collapse and unification with South Korea. Effectively isolated from the international community and the world economy, bereft of the great power patronage that it once enjoyed from the Soviet Union and China, and enduring economic shortages and distress, Pyongyang faces challenges that may cumulatively lead to its dissolution. Were collapse to occur, many surmise, unification with the South seems a plausible consequence and many South Koreans expect the consequence.

However, unification of the Korean peninsula by the South's absorption of the North, faces numerous obstacles. There are many possible legal and institutional issues that would be raised by collapse of North Korea and that would in turn figure into prospects for unification with the South.

These include:

- South and North Korea's membership as sovereign states in the United Nations;
- Historical issues stemming from the Korean War, including the continuing relevance of the United Nations and Combined Forces Commands; and
- Legal stipulation incorporated into past North-South agreements, such as the "Inter-Korean Basic Agreement."

Adding to the complexity of these issues is the geopolitical context in which their resolution must be addressed. In addition to the goals and policies of Seoul and Washington in dealing with state collapse in North Korea, the concerns and approaches of Beijing, Moscow, and Tokyo will also have an impact on how these legal and institutional questions are solved.

Given these complex issues, it is not a foregone conclusion that North Korea, following collapse, may easily be incorporated into a unified Korean state under Seoul's direction. Therefore, I suggest that the South Korean government needs to prepare for a

North Korean collapse which could lead a possibly unified Korea. The suggestions for preparation can be categorized into three areas: political/diplomatic, military, and social/economic.

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ACKNOWLEDGMENTS

One day one of my professors at the Korea National Defense University (KNDU) asked us “Can North Korea really become part of South Korea if North Korea collapses?” My answer was “Oh! Well... maybe.” The professor’s question embarrassed me, because I had never thought about it before. But the professor’s answer embarrassed me even more. He said that that it is not necessarily true, and he explained the reasons briefly. It was very interesting to me. I had thought that, since North Korea is also a part of Korea, South Korea could surely take over North Korea when North Korea collapses. I felt ashamed, because as a Korea military officer it is inexcusable that I had never thought about this situation before. I think most South Koreans also assume that North Korea will be part of South Korea when North Korea collapses. So I thought that I should learn more about this situation when I had the chance. A unified Korea is the Korean people’s common life wish. But the wish will not come to pass if we just wait for it to come true. We need to know the facts and prepare for a unified Korea. With this in mind, during my first quarter at the Naval Postgraduate School (NPS), I decided that this would be a good thesis topic. I hope that my thesis assists those who want to know about Korea and Korean reunification, and helps to make the Korean people’s life wish come true.

I would like to thank my thesis advisors, Dr. Alice Lyman Miller and Dr. Edward A. Olsen who taught about Korea at NPS for many years. Without their help, I would not have been able to successfully complete my thesis. Also, I would like to say thank you to Ms. Young, Barbara, the other professors and faculty of the NSA department. They have all been passionate in teaching and given much assistance helping me overcome my academic difficulties.

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I. INTRODUCTION

A. PURPOSE

Most South Koreans think that if North Korea collapses, South Korea can intervene in a collapsed North Korea and the two Koreas will naturally become a unified Korea. Unfortunately, this is not necessarily true. According to international law, a state cannot intervene in a collapsed state except for cases when a state was to intervene in a collapsed state for the purpose of self-defense, when the collapsed state asks a state to intervene, or with the United Nations' approval. However, neither the international situation nor the North Korean situation is favorable for South Korean intervention in a collapsed North Korea. The United States may want to control a collapsed North Korea under the name of the United Nations as it did in 1950. If the United States controls a collapsed North Korea, this may bring Chinese and Russian intervention and the Korean Peninsula could become an arena of competition of the great power states as it was during the Korean War. If this happens, it will be difficult for Korea to realize its wish of unification. Also, even though North Korea has been suffering from severe economic difficulty and international sanctions, there are no signs of giving up its dictatorship. Instead, it has responded with brinkmanship. As a result, there is little possibility of a collapsing North Korea asking South Korea to intervene. Therefore, the South Korean government's policy planning is urgently needed to absorb a collapsed North Korea. To suggest the South Korean government's policies which would lead a collapsed North Korea to a unified Korea, this thesis will try to answer the following questions:

- Why would North Korea not automatically be part of South Korea?
- Will North Korea collapse?
- Why does South Korea need to absorb a collapsed North Korea?
(Legitimacy of South Korean succession of North Korea)

- What does the South Korean government need to do to prepare for North Korean collapse? (Figure 1, Main thesis question)

When South Korea unifies with a collapsed North Korea, the questions of state succession arise: whether treaties, debts, and territory are passed to unified Korea or not, whether a unified Korea needs to join the UN with the name of Unified Korea or not, and what possible problems will arise if South Korea absorbs North Korea. Therefore, I will try to answer these questions concerning succession of states, which South Korea will be confronted with if it absorbs a collapsed North Korea. Also, I will research cases of state succession to find the answers about state succession.

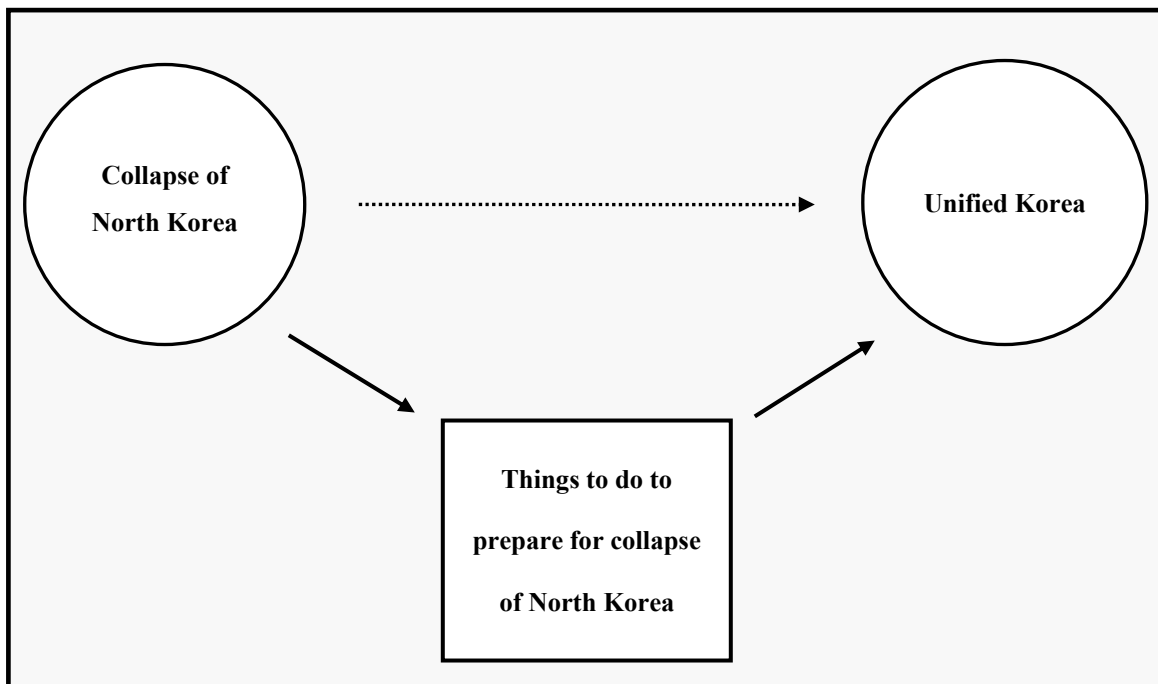


Figure 1. Main Thesis Question

B. WHY WOULD A COLLAPSED NORTH KOREA NOT AUTOMATICALLY BECOME PART OF SOUTH KOREA?

I will describe the historical background to explain why North Korea might not become part of South Korea if North Korea collapses.

South Korea and North Korea joined the United Nations at the same time in August 1991. This means that the United Nations and other international societies recognize North Korea as a state which has its own sovereignty. This is totally different from South Korean thinking about North Korea--that South and North Korea are not separate states. This thinking is based on the South Korean Constitution, Article 3.¹ It stipulates that North Korean territory is part of South Korean territory which has not yet been recovered. Because both Koreas joined the United Nations and are recognized as independent states, South Korea cannot intervene in a collapsed North Korea, and also, a collapsed North Korea cannot be part of South Korea automatically.

The South Korean government handed over "Operational Control (OPCON)" to the United Nations during the Korean War in July 1950. So when the United Nations forces marched to North Korea, they were controlled not by the South Korean government, but by the United Nations Forces Command.² This gives just reason to the United Nations Forces for controlling North Korea and makes it difficult for South Korea to insist on controlling North Korea if North Korea loses its state control. Because South Korea did not have OPCON when the United Nations took control of part of North Korea in October 1950, South Korean president, Rhee Syngman, had to visit that part of North Korea not as South Korean president, but as an individual.³ This is one of the reasons

¹ The Constitution of South Korea, Article 3 says that its territory consisting of "the Korean Peninsula and its adjacent islands."

² Illyoung Kim, "The Korean Military's Roles and Limitations when North Korea Collapses," Defense Research 46, no. 2 (2003), 142.

³ Ibid., 140.

that support recovering OPCON. Even though South Korea will get back wartime OPCON in 2012, the Korean War case is not helpful to South Korea to take leadership in a collapsed North Korea.

Also, the “Inter-Korean Basic Agreement (1991)”⁴ adds another reason. Article Two of the “Inter-Korean Basic Agreement” says South and North Korea cannot intervene in each other’s inter-state problems. Therefore, South Korea cannot intervene if North Korea is about to collapse unless there is an official request from North Korea.⁵

The other reason is the resolution of the United Nations Security Council, made on June 27, 1950:

Having noted from the report of the United Nations Commission on Korea that the authorities in North Korea have neither ceased hostilities nor withdrawn their armed forces to the 38th parallel, and that urgent military measures are required to restore international peace and security ...

Following this resolution, the United States and other nations started dispatching troops and giving military support. But this resolution has a significant meaning. The United States military used the phrase “to restore international peace and security” as a just reason to cross over the 38th parallel and march into North Korea during the Korean War. So this historical event gave another just reason for the United States military to have control of North Korea if North Korea collapses.

There are more reasons not mentioned here, such as the Chinese intervention, the possibility of a United States military operation against North Korea without South Korea, and South and North Korea’s unification policies that imply South and North

⁴ It is the document that South and North Korea agreed with reconciliation, inviolability, cooperation, and so on December 13, 1991 in Seoul.

⁵ Myungi Kim, Dissertation of Inter-Korean Basic Agreement (Seoul: KCSIS, 1992), 121-123.

Korea's strong volition to maintain their state authorities in a unified Korea.^{6 7} These issues will be discussed in Chapter IV.

C. HYPOTHESIS

A collapse of North Korea may not necessarily lead to a unified Korea. It is affected by complex external and internal contexts. Therefore, the South Korean government needs to prepare for a North Korean collapse. These efforts should be made in political, diplomatic, military, and domestic areas.

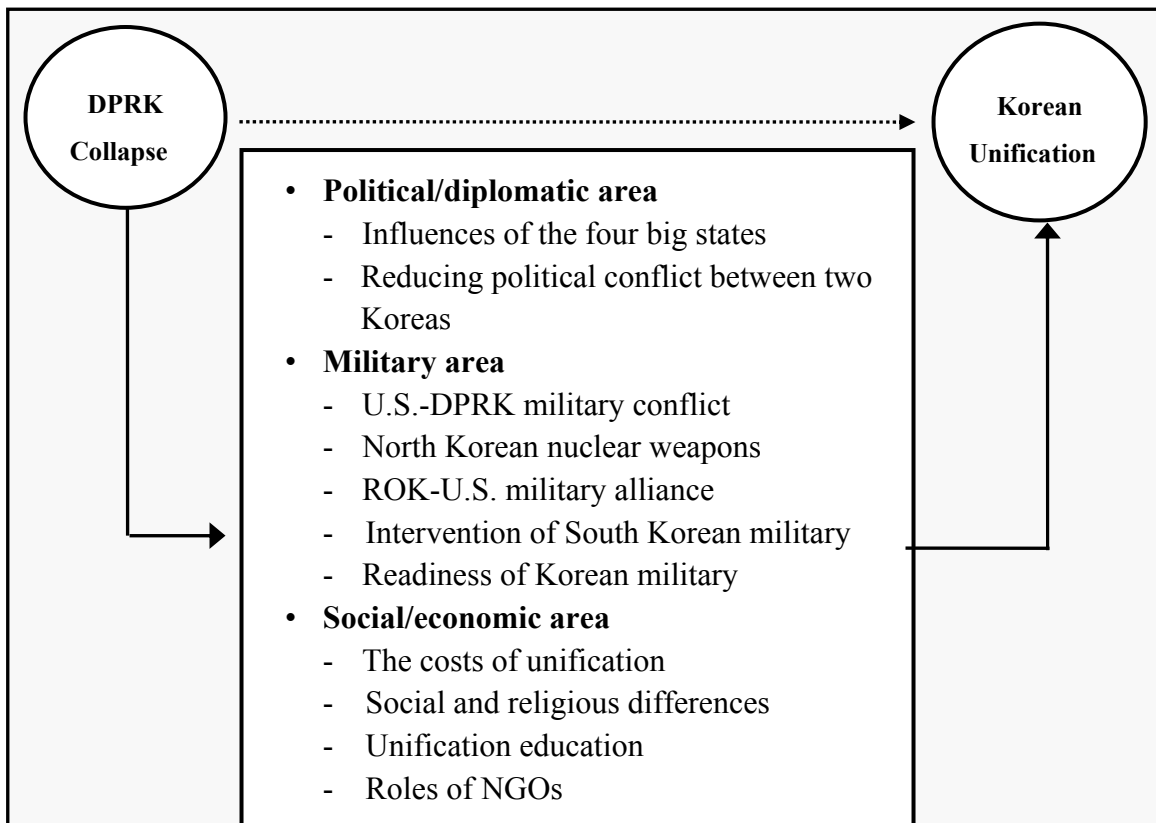


Figure 2. Hypothesis

⁶ Minkwon Nam, 21st Century Northeast Asian Situation and Korea's National Security Strategy (Seoul: Research Institute of Asian-Pacific Problems, 2003), 9-14.

⁷ Each country's volition about unification is shown in the South Korean Constitution, Article 4, and the North Korean Constitution, Article 103.

D. CHAPTER SUMMARIES

This thesis will consist of five chapters. The introduction describes the purpose of the thesis and addresses the main problems it seeks to address. It also describes the historical background of the main problems and then summarizes the main points.

The second chapter analyzes the meaning of collapse of state and the possibility of North Korean collapse, which is the premise for my main thesis question.

The third chapter assesses theories of state succession and historical cases of succession of state. I research both in international practice, as well as the conventional law and two conventions which regulate succession of state. Also, I analyze whether the theories can be applied to the North Korean case or not. The historical case focuses on German unification, which has the most similarity to the Korean reunification case.

The fourth chapter suggests the role of the South Korean government in preparing for state succession on the Korean peninsula. The areas in which the South Korean government needs to prepare are three areas: political and diplomatic, military, and social and economic. Each area is analyzed by positive and negative factors for South Korean succession of North Korea.

The last chapter is the conclusion. I summarize my thesis question and arguments in this chapter.

II. WILL NORTH KOREA COLLAPSE?

A. MEANING OF COLLAPSE OF STATE

A state consists of a government, people, and territory. Generally, collapse of a state means collapse of government. Therefore, the legal meaning of collapse of a state is collapse of government. The political and social science meaning of collapse of a state includes collapse of political power, collapse of power, and collapse of the system.⁸ For example, East Germany was a case of collapse of political power, collapse of power, and collapse of system, but the Soviet Union was a case of collapse of political power, and collapse of power.

Usually, collapse of state means “the inability of the regime in power to maintain effective political, economical, social, and military control, which ultimately leads to its dissolution and, in the extreme case, the formal end of the state.”⁹

B. POSSIBILITY OF COLLAPSE OF NORTH KOREA

What situation would qualify as the collapse of North Korea? If the Kim Jong-il regime collapses, does North Korea collapse? Or, if the North Korean government system collapses, does North Korea collapse? The Kim Jong-il regime collapse does not necessarily mean the collapse of North Korea, but there is a great possibility for the collapse of North Korea if the Kim Jong-il regime collapses. Because defining the collapse of North Korea is complex, I will say that the collapse of North Korea is a specific situation when North Korea needs another state’s military intervention because of sudden change in North Korea.¹⁰

⁸ Bongdo Gi, "Problem of International Law in the Case of Merger of North Korea Resulting from North Korean Collapse," Research of North Korea 1, (1998), 77.

⁹ Jonathan D. Pollack and Chung Min Lee, Preparing for Korean Unification : Scenarios and Implications (Santa Monica, CA: RAND, 1999), 59.

¹⁰ Kim, The Korean Military's Roles and Limitations when North Korea Collapses, 147-148.

Will North Korea really collapse soon? The possibility of North Korea's collapse has been more seriously considered since the mid-1990s, and the North Korean nuclear weapon crisis and serious economic difficulty exacerbated this consideration. After the Collins'¹¹ report was issued, consideration of a North Korean collapse has been considered more. The report said North Korea was in the 3rd and 4th steps of the collapse process that consisted of 7 steps¹²: (1) resource exhaustion → (2) discrimination of distribution → (3) regional independence action → (4) suppression → (5) resistance → (6) dissolution → (7) reorganization of leadership.

Also, there are some main symptoms that indicate North Korea is facing collapse.¹³ The symptoms are food shortages, increasing defection from North Korea, and antagonism between Kim Jong-il and the North Korean military.

The ROK Ministry of Agriculture and Forestry announced that North Korea will have a food shortage of 2,490,000 tons in 2008. Food distribution in North Korea has been reduced so that the amount of food distribution is half of the 488 grams per a day which North Korea is presented to supply to their people.¹⁴ Even the North Korean government takes some amount of food from the daily distribution for the reason of saving. The North Korean food shortage is leading to anarchy.¹⁵ Hungry North Koreans may revolt against the North Korean government and this may lead to collapse of the North Korean government.

¹¹ Previous ROK-U.S. Combined Forces Command.

¹² Jeajin Seo, "Collins' report about the collapse of North Korea" *Chosun Monthly* 5 (1996): 364-381.

¹³ Younglim Kim, "Collapse of Kim, Jong Il Regime in Six Month?" KONASNET, <http://www.konas.net/article/article.asp?idx=13600> (accessed 02/22/2008). The famous England journal 'Jane's Defence Weekly' reported that Kim, Jong-il regime may collapse in six months('Clock ticking for Kim's Korea') in January 24, 2008. Also, this journal said, "China was prepared to 'take the initiative' and had a military strategy for securing North Korea's 'loose nukes' should Kim Jong-Il's rule fail."

¹⁴ Sooyoung Choi, "Facts and Prospect of the Food Shortage of North Korea," 25th Domestic Conference (1997), 16.

¹⁵ Selig S. Harrison, *Korean Endgame: A Strategy for Reunification and U.S. Disengagement* (Princeton, N.J: Princeton University Press, 2007), 40.

The number of defections from North Korean is rapidly increasing. The Unification Ministry of South Korea announced that the number of defections was 148 in 1999, but the number increased to 583 in 2001 and 1,141 in 2002. Similarly, many East Germans also crossed the Berlin Wall before East German collapsed. The North Korean government has almost lost control of defections. Even though the North Korean government orders North Korea border guards to shoot to kill anyone who crosses into China, the number of defections has increased.¹⁶ China already moved many troops to the border area between China and North Korea to prepare for mass defection from North Korea in case of a North Korean collapse.

There is possibility of the Kim Jong-il regime being changed by the North Korean military. There was an opposition group in the military hierarchy when Kim Jong-il was chosen as Kim Il-sung's successor.¹⁷ Therefore, Kim Jong-il needs military support to sustain his regime. The more North Korea suffers economic failure, food shortages, and the problem of increasing defections, the more Kim Jong-il needs military support. However, Kim Jong-il has no military experience to lead the military and old military leaders are dissatisfied because of politicians' undervaluation of them. So they may decide to push Kim Jong-il aside.

There was another idea about a North Korean collapse. In 1993, while William J. Perry was Defense Secretary of the United States, he said that North Korea would collapse "some time in the next few years." However, after a visit to North Korea six years later, he concluded that "the regime is very much in control, and it would be imprudent on our part to assume that this regime is going to collapse. We have to deal with the North Korean government not as we wish they'd be but as, in fact, they are."¹⁸ Expecting North Korea to collapse can be controversial, but as a South Korean military

¹⁶ Paul French, *North Korea : The Paranoid Peninsula--a Modern History* (London ; New York; New York: Zed Books; Distributed in the USA by Palgrave Macmillan, 2005), 258-259.

¹⁷ Ibid., 264.

¹⁸ Selig S. Harrison, *Korean Endgame* (Princeton: Princeton University Press, 2002): 65.

officer, considering and preparing for the collapse of North Korea is worthwhile.
Considering and preparing for the collapse of North Korea is worthwhile for the South Korean government, as well.

III. THEORIES AND HISTORICAL CASES

A. SUCCESSION OF STATE

1. Definition of Succession of States

Succession of State can be defined as “the replacement of one State by another in the responsibility for the international relations of territory.”¹⁹ It means the responsibility of a state for a territory is transferred from Predecessor State, “the State which has been replaced by another State on the occurrence of a succession of States,”²⁰ to Successor State, “the State which has replaced another State on the occurrence of a succession of State.”²¹ State succession is not a common case in the world society, so not many international rules have appeared yet. Therefore, state succession is very controversial in the world society.²²

The questions of state succession arise when a new state is established, a state is divided into several states, or several states are merged into one state.²³ The questions are mostly about rights and obligations between a predecessor state and a successor state.

State succession can be both universal and partial succession.²⁴ Universal succession occurs when a state absorbs one or more states by either conquest or spontaneous merger. Also, universal succession occurs either when a state is split and makes new separate states or when states are annexed by other states. Partial succession

¹⁹ Vienna Convention on Succession of States in Respect of State Property, Archives and Debts, (1983): Par 1 Article 2(a).

²⁰ Ibid., Part 1 Article 2(b).

²¹ Ibid., 2(c).

²² Ian Brownlie, *Principles of Public International Law*, 5th ed. (Oxford; New York: Clarendon Press; Oxford University Press, 1998), 650.

²³ William L. Tung, *International Law in an Organizing World* (New York: Crowell, 1968), 56.

²⁴ L. Oppenheim and Hersh Lauterpacht Sir, *International Law : A Treatise*, 8th ed. (London, New York: Longmans, Green, 1955), 157.

takes place either when part of a state becomes an independent state or when a state obtains a part of the territory of another state. Partial succession takes place when a state loses independence partly due to joining a federal state.

The ways to categorize succession of state varies, but there are approximately five types of succession of state:²⁵

- Dissolution: when a state collapses and then breaks into several independent states (e.g., The Soviet Union)
- Fusion: when several same level states become one state (e.g., North and South Yemen)
- Cession: when a part of a state's territory is transferred to another state (e.g., Transferring Alaska from Russia to the United States)
- Secession: when a part of a state becomes an independent state (e.g., Independence of East Pakistan from Bangladesh)
- Merger: when a state is absorbed by another state spontaneously (e.g., Germany)

2. Application of Succession of State to South and North Korea

Can the succession of state theory be applied to South and North Korea? There are two problems related to this question. Firstly, did succession of state occur between the Korean Empire²⁶ and Korea?²⁷ Secondly, are South and North Korea recognized as separately independent states in the world society?²⁸ How do both Koreas recognize each other?

²⁵ Ki-Gab Park, "The State Succession with Respect to Treaties Focusing on the Models of Unified Korea," Hanlim Law Forum 5, no. 1 (1996), 103.

²⁶ Korean Empire was the name of Korea from October 12, 1897 to Japan's annexation of Korea on August 28, 1910.

²⁷ Deokgyu Im, "The Legitimacy of the Republic of Korea," Korean Military Academy Thesis Book 24 (1983), 132.

²⁸ Oguk Gwon, "State Succession in Case of the Unified Korean Peninsula" Sungkyunkwan University), 50.

The Korean Empire lost state sovereignty after the conclusion of the “Eulsa Treaty”²⁹ and the “Japan-Korea Annexation Treaty.”³⁰ Therefore, the problem of state succession among South and North Korea and Korean Empire depends on validity of these two treaties.³¹ A document written by Sunjong³² was found on August 27, 1993. The document was written the day before the signing of the “Japan-Korea Annexation Treaty,” and this document expresses Sunjong’s will of disagreement about the inequality of the treaty.³³ Because the treaty was signed by compulsion of Japan, it is not valid.³⁴ Additionally, because Korea and Japan have agreed that treaties concluded before August 22, 1910 are invalid,³⁵ the two treaties are ineffective. As a result, the Korean Empire was not eliminated because the treaties between Korean and Japan are invalid, but instead the exercising of the sovereignty by the Korean Empire was reserved from 1910 (the starting point of Japan’s control) to 1948 (establishing point of Korean government). Also, treaties concluded during Japan’s control are all invalid.³⁶

Therefore, how can the establishment of South and North Korea be explained? There are two possible explanations.³⁷ The first explanation says South Korea is the successor state of the Korean Empire, and then North Korea separated from South Korea.

²⁹ The Eulsa Treaty or Japan-Korea Protectorate Treaty was made between the Empire of Japan and the Korean Empire on November 17, 1905.

³⁰ The Japan-Korea Annexation Treaty was signed on August 22, 1910 by the representatives of the Korean and Japanese Imperial Governments.

³¹ Im, *The Legitimacy of the Republic of Korea*, 132.

³² Sunjong was the last emperor of the Joseon Dynasty and Korean Empire in Korea, ruling from 1907 until 1910.

³³ "Donga.Com[News]-Discovering the 'Document of Sunjong' the Day before "the Humiliation of the Nation in the Year of the Dog", "<http://www.donga.com/fbin/output?n=200708280093> (accessed 02/13/2008).

³⁴ Park, *The State Succession with Respect to Treaties Focusing on the Models of Unified Korea*, 104.

³⁵ "The Treaty on Basic Relations between Japan and the Republic of Korea," http://www.diplomaticarchives.go.kr/bbs/board.php?bo_table=etc&wr_id=15 (accessed 02/13/2008).

³⁶ Park, *The State Succession with Respect to Treaties Focusing on the Models of Unified Korea*, 105.

³⁷ Country Unification Research Institute, *Researching Legal Problems of Unification* (Seoul: 1989), 29.

The second explanation says South and North Korea are both successor states of the Korean Empire. Both South and North Korea each insist on identities that the most benefit to itself and denies the other.

The establishment of the South Korean government began with the Shanghai Provisional Government on April 13, 1919, and from that time the name of the state was changed from the Korean Empire to the Republic of Korea.³⁸ But this government was located in China, not in Korea, and exercised very limited government power. After Japan's defeat on August 15, 1945, the Korean government was unable to be immediately established, instead, the United States and the Soviet Union's control both in the South and North began. Because Korea was controlled by a trusteeship of both the United States and the Soviet Union, and the Shanghai Provisional Government was dismissed, the Korean government was not fully functional, but Korea still had sovereignty as a successor state of the Korean Empire. The first members of the National Assembly were elected on May 10, 1948 and the Constitution of the Republic of Korea and the South Korean government were established on July 17, 1948 and August 15, 1948, respectively. The Constitution of the Republic of Korea says, "...traditions dating from time immemorial, upholding the cause of the Provisional Republic of Korea Government born of the March First Independence Movement of 1919..." so that the line of succession is the Korean Empire, the Shanghai Provisional Government, and the South Korean government. Then, is South Korea the only lawful government in the Korean peninsula? The "Treaty on Basic Relations between Japan and the Republic of Korea" says in Article 3, "It is confirmed that the Government of the Republic of Korea is the only lawful Government in Korea as specified in the Resolution 195 (III) of the United Nations General Assembly" Article 3 also says, "The territory of the Republic of Korea shall consist of the Korean peninsula and its adjacent islands" so that the South Korean government insists that South Korea is the only the legitimate state on the Korean peninsula. But the election in 1948 took place only in a part of the Korean peninsula,

³⁸ The Constitution of provisional Korean government. Article 1.

south of the 38th parallel, so it is controversial whether South Korea is the only lawful government on the Korean peninsula or not.³⁹

The North Korean government was established on September 9, 1948, but both South and North Korea insist that their government is the only the legitimate government. Since South and North Korea joined the United Nations in September 1991, both countries should admit that the world society recognizes South and North Korea as separated independent states. But, even though South and North Korea joined the United Nations, it does not mean that South and North Korea recognize each other as a state.⁴⁰ The relation of South and North Korea is called a “Special Relation.”⁴¹ The term “Special Relation” originated from Willy Brandt, previous Chancellor of West Germany from 1969 to 1974.

He said “Even though there are two states in Germany, they are not foreign states to each other. They have just special relations.”⁴² Externally, South and North Korea are two states, but internally they are one state. Because South and North Korea are separated into two states externally, succession of state can be applied if North Korea collapses.

B. THEORIES OF SUCCESSION OF STATE

1. International Practice and the Conventional Law

In international practice and conventional law, theory of succession of state is applied in the respects of “personal treaty” and “territorial treaty.”⁴³ The term “personal

³⁹ Changin Jung, "Only Legitimacy State Theory and Anti-Nation Organization," http://newsandpeople.com/article/view.php?id=all_list_total&no=1108 (accessed 02/19/2008).

⁴⁰ *The Constitutional Court of Korea, The Official Report*, [1 April 1997]).

⁴¹ *Inter-Korean Basic Agreement, (1991): preface.*

⁴² Janghee Lee, "Special Relations between South and North Korea and its Implementation," *OeBeop NonJip* 7, (1999), 142.

⁴³ Oguk Gwon, "A Study on the Unification Courses and State Succession," *Ethics Research*, no. 48 (2005), 126.

treaty” refers to treaties made by predecessor states and have no political continuity between predecessor state and successor state. The term “personal treaty” includes treaties of alliance, military base agreements, criminal extradition treaties, and so on. Treaties concluded by predecessor states are not passed to successor states according to the “clean slate rule.”⁴⁴ But if there is political continuity, such as with merging, the treaties which the predecessor state made are passed to the successor state.⁴⁵ On the other hand, with “territorial treaties” which regulate rights and obligations concerning territory, voyage/transport/fishery treaties are passed to the successor state; this is the “rule of continuity.”⁴⁶ But “newly independent states” apply either the “clean slate rule” or the “rule of continuity” depending on their benefits.⁴⁷ Then, what about treaties concluded by a successor state before uniting with a predecessor state? Will the treaties have effect on the predecessor state’s territory? According to the “moving treaty-frontier rule,” the answer is yes.⁴⁸

2. Conventions

There are two Vienna Conventions which regulated succession of state. One is the Vienna Convention on Succession of States in Respect of Treaties, 1978 and the other is the Vienna Convention on Succession of States in Respect of State Property, Archives and Debts, 1978. But these two conventions apply “to the effects of a succession of States in respect of treaties between States.”⁴⁹ Some may wonder whether or not these conventions can be applied to Korea which is a divided state. Even though South and

⁴⁴ Brownlie, *Principles of Public International Law*, 665.

⁴⁵ *Ibid.*, 80.

⁴⁶ *Ibid.*, 80.

⁴⁷ Gwon, *State Succession in Case of the Unified Korean Peninsula*, 26.

⁴⁸ Arthur Watts, *The International Law Commission 1949-1998, the Treaties* ; 2 (Oxford: Oxford Univ. Press, 1999), 1069.

⁴⁹ Vienna Convention on Succession of States in Respect of Treaties, (1978): Article 1.

North Korea do not recognize each other as individual states, they joined the United Nations as individual states. Therefore, these conventions can apply to both Koreas. Also, international law applied to East and West Germany before they unified, so this fact shows that it can applied to South and North Korea, as well.

a. Vienna Convention on Succession of States in Respect to Treaties

“A succession of States does not affect a boundary established by a treaty or obligations and rights established by a treaty and relating to the regime of a boundary.”⁵⁰ This convention follows the “principle of sanctity of frontiers” so the treaties concerning frontiers are passed to a successor state. On the other hand, the treaties concerning establishment of foreign military bases on the territory are not.⁵¹

However, some treaties of predecessor state cease to in force.

These include:

- According to the “moving treaty-frontiers rule,” when part of the territory of a state’s sovereignty is transferred, the territory is applied by the successor state and the predecessor state’s treaties are not passed to a successor state;⁵²
- Newly independent states such as an independent state from a colony can acquire sovereignty free from the treaties the ruling state made;⁵³
- “When two or more states unite and so form one successor state,” the predecessor state’s treaties are passed to the successor state;⁵⁴

⁵⁰ Vienna Convention on Succession of States in Respect of Treaties, (1978): Article 11.

⁵¹ Ibid., Article 12 (3).

⁵² Vienna Convention on Succession of States in Respect of Treaties, (1978): Article 15.

⁵³ Ibid., Article 16.

⁵⁴ Ibid., Article 31(1).

- “When a part or parts of the territory of a state separate to form one or more states, whether or not the predecessor state continues to exist,” the predecessor state’s treaties are passed to all successor states, and the treaties which only a part of the predecessor state’s territory of is included are in force for only that part of the territory of the successor state.⁵⁵

b. Vienna Convention on Succession of States in Respect to State Property

The second convention deals with state property, archives, and debts, which are excluded in the first convention.

“State property of the predecessor state means property, rights, interests which, at the date of the succession of states, were, according to the international law of the predecessor state, owned by that state.”⁵⁶ The predecessor state’s property is passed to the successor state without compensation except when proper international organization decides differently, or a third state owns the property.⁵⁷ Also, “when two or more states unite and so form one successor state,” the property of the predecessor state shall pass to the successor state.⁵⁸

“State archives of the predecessor state means all documents of whatever date and kind, produced or received by the predecessor state in the exercise of its functions which, at the date of the succession of states, belonged to the predecessor state according to its internal law and were preserved by it directly or under its control as archives for whatever purpose.”⁵⁹ The predecessor state’s archives pass to the successor state without compensation except when related states make an agreement on a different way, a proper

⁵⁵ Vienna Convention on Succession of States in Respect of Treaties (1978) Article 34 (1).

⁵⁶ Vienna Convention on Succession of States in Respect of State Property, Archives and Debts, Article 8.

⁵⁷ Ibid., Article 12.

⁵⁸ Ibid., Article 16.

⁵⁹ Ibid., Article 20.

international organization decides differently, or a third state owns the archives in the predecessor state's territory. Also, "when two or more states unite and so form one successor state," the archives of the predecessor state pass to the successor state.⁶⁰

"State debt means any financial obligation of a predecessor state arising in conformity with international law towards another state, an international organization or any other subject of international law."⁶¹ "When part of the territory of a state is transferred by that state to another state," the predecessor state's debt passes to the successor state by agreement between them.⁶² If there is no such agreement, the predecessor state's debt shall pass to the successor state "in an equitable proportion, taking into account, in particular, the property, rights and interests which pass to the successor state in relation to that state debt."⁶³ "When two or more states unite and so form one successor state," the predecessor state's debt passes to the successor state.⁶⁴

3. Application of the Theories to Korea

a. Problems of Military Intervention on Collapsed North Korea

According to international law, a state can intervene in a collapsing state if the two states are in warfare relations.⁶⁵ Because South Korea is in armistice with the North, South Korea can intervene in a collapsed North Korea. But, as I mentioned in Chapter I, South and North Korea are in "special relations." "Special relations" means that North Korea is not a state in South Korea's point of view and vice versa. So because South and North

⁶⁰ Vienna Convention on Succession of States in Respect of State Property, Archives and Debts, Article 29.

⁶¹ Ibid., Article 33.

⁶² Ibid., Article 37 (1).

⁶³ Ibid., Article 37 (2).

⁶⁴ Ibid., Article 39.

⁶⁵ Gi, Problem of International Law in the Case of Merger of North Korea Resulting from North Korean Collapse, 86.

Korea are each not a state in each other's point of view, the international law is not applied to both Koreas. Also, according to the "Inter-Korean Basic Agreement," South and North Korea cannot intervene in each other's international problems. In this way, South Korea cannot intervene in a collapsed North Korea. The only exception would be if intervention were requested by North Korea, though this exception would also require that South Korea had "Wartime Operational Control." However, South Korea does not have "Wartime Operation Control" so intervention in a collapsed North Korea is still impossible at the present time.

Can the ROK-U.S. combined military intervene in a collapsed North Korea? Because the ROK-U.S. combined military is in a warfare situation with North Korea, the ROK-U.S. combined military can intervene according to international law. However, ROK-U.S. combined military is based on the "Mutual Defense Treaty (1954)," so it can intervene in North Korea only when there is a military attack from North Korea.⁶⁶ Therefore, the ROK-U.S. combined military cannot intervene in a collapsed North Korea except at North Korea's request. Also, the ROK-U.S. combined commander does not have "Wartime Operation Control," but the United Nations Forces Command has "Wartime Operation Control" so ROK-U.S. combined military cannot intervene in collapsed North Korea.

This leads to the question, can a United Nations force intervene in a collapsed North Korea? The Charter of the United Nations, Article 39 says "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security" so in the case of "any threat to the peace, breach of the peach, or act of aggression" the United Nations forces can intervene in a state. Therefore, if North Korea collapses and make any of the types of threats mentioned in the Article 39, United Nations forces can intervene in a collapsed North Korea. But the Charter of the United Nations does not define what the "threat to the peace,

⁶⁶ The Mutual Defense Treaty, Article 3 says "Each Party recognizes that an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

breach of the peace, or act of aggression” is, so the United Nations Security Council needs to decide whether North Korea has committed any of the acts against the Charter of the United Nations.⁶⁷ Therefore, intervention of United Nations forces in a collapsed North Korea is possible if China or Russia do not use veto power as permanent members of the United Nations Security Council. However, there is a possibility of United Nations forces intervention without the United Nations Security Council’s decision. United Nations forces which are in South Korea can intervene in a collapsed North Korea because the United Nations Security Council already concluded United Nations forces’ military intervention in North Korea in 1950.

b. Succession of International Organization Membership

If North Korea collapses and becomes part of South Korea, how will the membership in international organizations change? After absorbing a collapsed North Korea, South Korea still has sovereignty of state, so South Korea’s membership in international organizations is maintained. In contrast, North Korea would lose its membership in international organizations because of the loss of sovereignty of state. Germany is a good example. East and West Germany joined the United Nations in 1973 and united in 1990. There was no official joining of unified Germany, but the unified Germany was able to maintain membership in the United Nations. More detailed examples of state succession will be provided in the next chapter.

c. Legal Problems Concerning State Succession

There will be many legal problems in unified Korea, but I will focus on the main two problems: debts and treaties.

North Korea’s debts to capitalist states, including Japan, Germany, France, and so on, total 49.2 hundred million dollars; debts to ex-socialist states, including China, Russia, the Czech Republic, and so on, total 75.4 hundred million dollars. The total debt is

⁶⁷ Gi, Problem of International Law in the Case of Merger of North Korea Resulting from North Korean Collapse, 93.

more than 12 billion dollars as of 2001. The debts from western states are mostly principle and interest of mining equipment and petro chemical equipment during the 6 years economy painning period from 1971 to 1976. The debts from ex-socialist states are mostly loans for post-war recovery in the 1950s and a trade deficit. North Korea's debts are 79.4% of its GNP in 2001, so it exceeded IMF's debts danger limit of 48% of GNP. North Korea has already lost its ability of repayment.⁶⁸

Table 1. Debt of North Korea

(unit: one hundred million dollars, %)

| YEAR | G N P | DEBT | DEBT / GNP |
|------|-------|-------|------------|
| 1990 | 231 | 78.6 | 34.0 |
| 1991 | 329 | 92.8 | 40.5 |
| 1992 | 211 | 97.2 | 46.2 |
| 1993 | 205 | 103.2 | 50.3 |
| 1994 | 212 | 106.6 | 50.3 |
| 1995 | 223 | 118.3 | 53.0 |
| 1996 | 214 | 120.0 | 56.1 |
| 1997 | 177 | 119.0 | 67.2 |
| 1998 | 126 | 121.0 | 96.0 |
| 1999 | 158 | 122.9 | 77.8 |
| 2000 | 168 | 124.6 | 74.2 |
| 2001 | 157 | 124.6 | 79.4 |

Source: The Bank of Korea⁶⁹

According to the Vienna Convention in 1983, there is a much greater possibility that North Korea's debts pass to South Korea if South Korea absorbs North

⁶⁸ National Intelligence Service, "South and North Talks," http://dialogue.unikorea.go.kr/sub1/sub1_41.asp?AC=read&chro_serno=100000135&d=m&F_Year=1999&F_Month=4&F_Day=30 (accessed 04/07/2008).

⁶⁹Ministry of Strategy and Finance Republic of Korea, "Debt of North Korea," http://mofe.go.kr/division/br_ec/br_ec_03.php?action=view&field=&keyword=&page=14&t_code=97&no=77395 (accessed 04/07/2008).

Korea. The debts would be a heavy burden to unified Korea with the cost of reunification ultimately ranging from 182.7 billion dollars to 2 trillion dollars.⁷⁰

As of 2006, South Korea has 1,850 bilateral treaties and 540 multilateral treaties.⁷¹ North Korea has approximately 70 bilateral treaties and 75 multilateral treaties as of 1982.⁷² Among North Korea's treaties, the treaties concerning the shared frontier with Russia and China can be controversial. North Korea concluded a treaty concerning the frontier with Russia in 1990, but "Nokdun-do"⁷³ was not included in the treaty. Qing and Japan decided North and East Gando would belong to Chinese territory in the Gando Convention. Because Japan had responsibility for Korea's foreign affairs according to the Eulsa Treaty, Japan and Qing concluded the Convention. But, the Eulsa Treaty is a void treaty so the Gando Convention is void, too.

C. HISTORICAL CASES OF SUCCESSION OF STATES

German unification was completed when the German Democratic Republic (GDR) and the Federal Republic of Germany (FRG) signed the Unification Treaty between the FRG and the GDR in Berlin on August 31, 1990. Unified Germany followed not the Vienna Conventions, but international practice and the conventional law when it dealt with the state succession problem.

Article 11 of the unification treaty says, "The Contracting Parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party, including treaties establishing membership of international organizations or institutions, shall retain their validity and that the rights and

⁷⁰ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 97.

⁷¹ Ministry of Foreign Affairs and Trade, *MFAT Affairs Reference Book* (Ministry of Foreign Affairs and Trade, 2007), 44.

⁷² Gwon, *A Study on the Unification Courses and State Succession*, 133.

North Korea does not open the list of treaties so having new information is limited.

⁷³ "Nokdun-do" is an island located at East end of Doman River. "Nokdun-do" was included into ChoSun's territory when the Great King Sejong rearranged the frontier. But, Russia included "Nokdun-do" into its territory when it concluded the "Beijing Treaty" in 1860.

obligations...”⁷⁴ Therefore, the treaties the FRG made before unification are still valid in unified Germany according to the “moving treaty-frontier rule.” Also, there are Articles concerning the treaties the predecessor state concluded before unification. Article 12 says “The Contracting Parties are agreed that, in connection with the establishment of German unity, international treaties of the German Democratic Republic shall be discussed with the contracting parties concerned with a view to regulating or confirming their continued application, adjustment or expiry, ...” and also says, “Should the united Germany intend to accede to international organizations or other multilateral treaties of which the German Democratic Republic but not the Federal Republic of Germany is a member, agreement shall be reached with the respective contracting parties and with the European Communities where the latter's competence is affected.”⁷⁵ Accordingly, unified German decided whether or not it would honor the treaties by having discussions with related states or organizations.

Concerning public assets, the Unification Treaty, Article 21 says “The assets of the German Democratic Republic which are used directly for specific administrative purposes (administrative assets) shall become federal assets unless their designated purpose as of October 1, 1989 was primarily to meet administrative responsibilities which, under the Basic Law, are to be exercised by Länder, communes (associations of communes) or other agencies of public administration.”⁷⁶ As a result, communes or other agencies of public administration had priority of public assets.

Additionally, concerning debts, Article 23 says, “Upon the accession taking effect, the total debts of the central budget of the German Democratic Republic which have accumulated up to this date shall be taken over by a federal Special Fund without

⁷⁴ Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the Establishment of German Unity, (1990): Article 11.

⁷⁵ Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the Establishment of German Unity, (1990): Article 12.

⁷⁶ Ibid., Article 21.

legal capacity, which shall meet the obligations arising from debt servicing. The Special Fund shall be empowered to raise loans.”⁷⁷ So the unified Germany took over the GDR’s debts.

The GDR and the FRG joined the United Nations in 1973 separately. After the GDR and the FRG unified, unified Germany succeeded to the membership of the United Nations.

There are other historical cases of state succession. Egypt and Syria were merged on February 1, 1958, Tanganyika and Zanzibar were merged on April 22, 1964, and Senegal and Gambia were merged on December 17, 1981. Each case had almost the same type of state succession, but each one had a few differences. Details of the type of state succession are shown in Table 2.

⁷⁷ Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the Establishment of German Unity, (1990): Article 23.

Table 2. Succession types of Germany, United Arab Republic, United Republic of Tanzania, and Senegambia⁷⁸

| Items | Germany | United Arab Republic | United Republic of Tanzania | Senegambia |
|------------------------------|----------|----------------------|-----------------------------|----------------------|
| Treaties | In force | In force | Selective succession | Selective succession |
| Membership of United Nations | In force | In force | In force | In force |
| Debts | In force | In force | Not in force | In force |

⁷⁸ After Gwon, State Succession in Case of the Unified Korean Peninsula, 38-42.

IV. HOW SHOULD SOUTH KOREA PREPARE?

A. POLITICAL AND DIPLOMATIC AREAS

1. Influences of the Four Big States

a. *The United States*

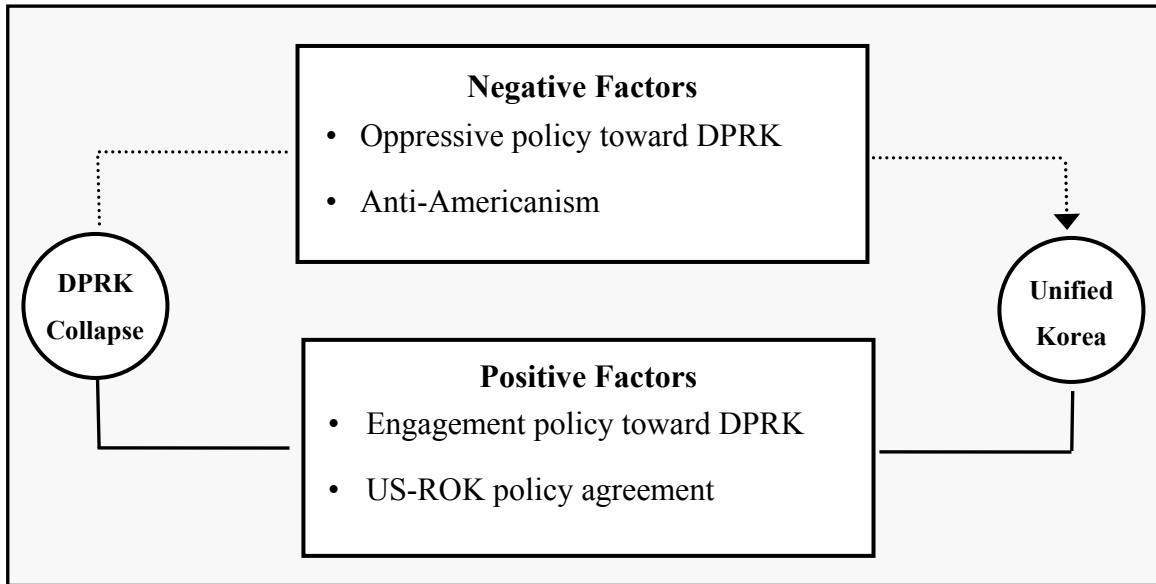


Figure 3. Influences of the Four Big States – the United States

(1) United States' policies toward DPRK. The George W. Bush administration has been conflicted with two ideologies concerning policy toward North Korea, neo-conservatism (oppressive policy) and realism (engagement policy). Also, these two ideologies have given the important criterion to decide the direction and means of North Korean policies. The first Bush administration was influenced by neo-conservatism, but realism had more impact on the second Bush administration than neo-conservatism.⁷⁹

⁷⁹ Hyun Kim, "Bush Administration's Ideology of Foreign Policy and Policy Toward North Korea," *National Strategy* 14, no. 1 (2008), 127-128.

The first use of the term 'neo-conservatism' was in the early 1970s. Neo-conservatism is also called 'neocon.' Neo-conservatism gives political criterion as follows: first, United States security should be reinforced to maintain the its leadership in the world; second, the United States should increase military power to that point that the other states cannot even think about having military power superior to that of the United States; third, the United States can use military power to spread its democratic values and system when using military power is necessary; fourth, the United States should not use an appeasement policy or engagement policy for the 'bad states' which spread WMD and support international terrorists, but use its power and change those regimes into democratic regimes.⁸⁰ Like these political criterion, neo-conservatism supports active intervention for international affairs. Neo-conservatism supporters in the Bush administration are Dick Cheney, Donald Rumsfeld, Richard Perle, Lynne V. Cheney, and Paul Wolfowitz.⁸¹

According to realism, United States foreign policy criterion should be as such: first, reinforcing national security; second, in order to reinforce national security, the United States should utilize the chance of increasing national power and avoid wasting national power; third, the United States should prevent other states from having national power superior to that of the United States.⁸²

Followers of realism share some values with neocons. Realists also think the United States should have superiority of national power and security. Therefore, their priority is maintaining the superpower position and preventing the rise of potential competitive states. But realists think ideals or ethics are not important in foreign policy. Realists are negative about spreading United States' values to other states. Realists are strongly against using military power to spread United States' values. Realists among the United States' foreign policy makers support problem solving with

⁸⁰ Kim, Bush Administration's Ideology of Foreign Policy and Policy Toward North Korea, 128.

⁸¹ Yousurp Shin, "Neo-Conservatism of the United States," *Asia-Pacific Review* (May 2004), 22.

⁸² Kim, Bush Administration's Ideology of Foreign Policy and Policy Toward North Korea, 129.

diplomacy rather than using military power. Also, realists support the idea of receiving ally cooperation.⁸³ The main realists in the Bush administration are Colin Powell, Mark Grossman, Condoleezza Rice, Robert Zollic, and Christopher Hill.⁸⁴

Neo-conservatism was the main foreign policy criteria until December 2006. The Bush administration used an oppressive policy to make North Korea abandon its nuclear plan. After 9·11 in 2001, the pressure on North Korea was increased. President Bush called North Korea one of the ‘Axis of Evil’ states and he imposed economic sanctions on North Korea. The second nuclear crisis made the situation worse. After the nuclear crisis, Bush said that he would not have discussions with North Korea unless North Korea abandoned the nuclear plan first. He also strengthened economic sanctions. Actually, the Bush administration prepared for a military attack on North Korea in 2003, and made “OPLAN 5030” to force North Korea into collapse. But the plan was hindered by South Korea.⁸⁵

The main reasons that neo-conservatism was the United States’ foreign policy toward North Korea are as follows: first, Bush’s national security strategy supported neo-conservatism ideals; second, Bush agreed with the policy of Dick Cheney (the vice-president), and Donald Rumsfeld (the former Secretary of Defense) who had neo-conservatism ideas; and third, neo-conservatism government staff members had more professional knowledge of security and nuclear problems than realist government staff members.⁸⁶

International relations in the 21st century have been changed from the United States’ hegemonic and unipolarity in international relations to weak multipolarity in international relations. During the Cold War era, there were two big

⁸³ Kim, Bush Administration’s Ideology of Foreign Policy and Policy Toward North Korea, 130.

⁸⁴ Ibid., 131.

⁸⁵ “OPLAN 5030,” <http://www.globalsecurity.org/military/ops/oplan-5030.htm> (accessed 03/11/2008).

states: the United States and the Soviet Union. So the two states had bipolarity in international relations. After the collapse of the Soviet Union, the United States became the strongest state, so it had unipolarity in international relations. But, in the 21st century, China, Russia, and the EU's international influence have increased, so the United States' hegemony has decreased. Because the United States still has more influence than China, Russia or the EU, I call the situation weak multipolarity in international relations. This change of international relations was one of the causes of the United States' policy change from the oppressive policy to the engagement policy.

Another cause of policy change was the Bush administration members who changed from supporting neo-conservatism to supporting realism. The first Bush administration's oppressive policy toward North Korea has been criticized because of the unsuccessful foreign policy toward North Korea. North Korea enforced a missile test-fire (July 05, 2006) and a nuclear test (October 09, 2006). So United States' citizens started to criticize Bush's oppressive policy toward North Korea and support for Bush lessened. Also, as Democratic Party became the majority party in the off-year election in 2006, many neo-conservative government staff members, including Donald Rumsfeld (the former Secretary of Defense), resigned, and realism supporters became government staff members. This caused Bush's policy toward North Korea to change from an oppressive policy to an engagement policy.⁸⁷ After realist Robert Gates became the Secretary of Defense, the Department of State took charge of United States foreign policy, which was lead by Donald Rumsfeld, the former Secretary of Defense. Therefore, Condoleezza Rice, the Secretary of State, lead the North Korean policy and completed the '2·13 North Korea Nuclear Agreement.' The '2·13 North Korea Nuclear Agreement' contributed to stabilizing the situation on the Korean peninsula.

⁸⁶ Kim, Bush Administration's Ideology of Foreign Policy and Policy Toward North Korea, 131-132.

⁸⁷ Teawhan Kwak, "Change of North Korea and the United States Relations and the Korean Peninsula Situation," Research of Politic Science 17, no. 1 (2007), 40-41.

(2) ROK policy and U.S.-ROK Policy Agreement. The term “Sunshine Policy” is from Aesop’s fables. In the fable, the sun could strip a traveler’s clothes off through warmth, but using force, the north wind could not. Kim Dae Jung’s “Sunshine Policy” applied the ‘Sun’s Theory’ to the policy toward North Korea. He believed that only warm sunshine, an engagement policy, could open North Korea’s closed door. According to his policy, economics and politics are separated. Therefore, South Korean companies could continue their business with North Korea regardless of the South-North political situation. Owing to this new policy, Hyundai was able to open the Mount Kumgang sightseeing business. This policy has three principles: (1) no military power provocation; (2) no unification by absorption; and (3) the active promotion of reconciliation and cooperation. Also, this policy was based on four standpoints: (1) the North Korean system has already failed; (2) even though the North Korean system has failed, the possibility of an imminent North Korean collapse is unlikely; (3) North Korean reform is necessary and the reform has already started; and (4) even though the reform has started, the North Korean military first policy and revolution strategy will be consistent.⁸⁸ Based on the “Sunshine Policy,” Kim Dae Jung endeavored to break up the Cold War structure on the Korean peninsula and appealed to the United States and Japan for support. Also, he insisted on five premises to break up the Cold War structure on the Korean peninsula: (1) South-North relations should be changed from distrustful relations to reconciliatory and cooperative relations; (2) The United States and Japan should normalize their relations with North Korea; (3) The international situation should be changed to a setting in which North Korea can have reassurance and be a member of the international society; (4) Nuclear weapons and WMD should be controlled and removed, and an arms cut should be completed; (5) The armistice system should be changed to a peaceful system.⁸⁹

⁸⁸ Yoohwan Ko, "The Kim Dae Jung Government's Engagement Policy Toward North Korea and North Korea's Response," *Research of Asian-Pacific Area* 2, no. 2 (2000), 114.

⁸⁹ *Ibid.*, 116.

Kim Dae Jung's "Sunshine Policy" contributed to peace on the Korean peninsula,⁹⁰ recovery of inter-Korean trust, facilitation of both Korean inter-changes and a reduction of friction with the United States and Japan concerning North Korean policy. However, his policy could not be rewarded with good fruits. Koreans criticized his policy as a one-sided policy and North Korean bellicosity was increased despite his policy. There were some reasons why his policy failed.

These reasons included:

- North Korea suspected his intentions from the beginning;
- There was an obstacle due to hard-liners in Pyongyang; and
- Kim Dae Jung could not get enough support from the United States.

North Korea thought Kim Dae Jung hid his true intentions, the absorption of North Korea, behind the "Sunshine Policy."⁹¹ North Korea thought Kim Dae Jung tried to court North Korea leaders' good graces and finally absorb North Korea. Also, North Korean hard-liners were a critical obstacle in South-North relations.

Kim Dae Jung could not get enough support from the United States.⁹² The Bush administration had an oppressive policy toward North Korea so the "Sunshine Policy" lost heat. Also, the Perry Report said that there was disagreement between South Korea and the United States concerning North Korean policy.⁹³ The South Korean government used a 'give and take' type policy; on the other hand, the United States government used a 'road map' type policy which deals with current matters step by step.

⁹⁰ North-South Summit in June 2000 contributed to tension reduction in the Korean peninsula.

⁹¹ Harrison, *Korean Endgame: A Strategy for Reunification and U.S. Disengagement*, 83.

⁹² French, *North Korea: The Paranoid Peninsula--a Modern History*, 323.

⁹³ Ko, *The Kim Dae Jung Government's Engagement Policy Toward North Korea and North Korea's Response*, 121.

President Roh Moo-hyun's "Policy for Peace and Prosperity" is the policy that followed Kim's "Sunshine Policy." President Rho's policy toward North Korea is well shown in his inaugural ceremony address, 'A New Takeoff toward an Age of Peace and Prosperity.'

I have several principles that I plan to adhere to in pushing the "Policy for Peace and Prosperity" on the Korean Peninsula. First, I will try to resolve all pending issues through dialogue. Second, I will give priority to building mutual trust and upholding reciprocity. Third, I will seek active international cooperation on the premise that South and North Korea are the two main actors in inter-Korean relations. And fourth, I will enhance transparency, expand citizen participation, and secure bipartisan support. I will implement my "Policy for Peace and Prosperity" with the support of the general public.

"Resolving all pending issues through dialogue" was based on his will to solve Korean peninsula problems through dialogue in the context of possible incidental military conflict between South and North Korea. Solving inter-Korean problems through dialogue was his primary principle during his period of service in the presidency. Also, he emphasized the importance of international cooperation for Korean peninsula problems, such as North Korean nuclear weapons and unification, and that South and North Korea should be the main actors in dealing with Korean peninsula problems based on reciprocity.⁹⁴

(3) Anti-Americanism. Anti-Americanism has risen rapidly again since June 2002, when two Korean middle school girls were killed in an accident involving a United States panzer. (See Figure 4)

⁹⁴ Youngjae Kim, "The Policy Toward North Korea of Rho Moo-Hyun Administration," *The Research of International Culture* 24, (2006), 54-55.

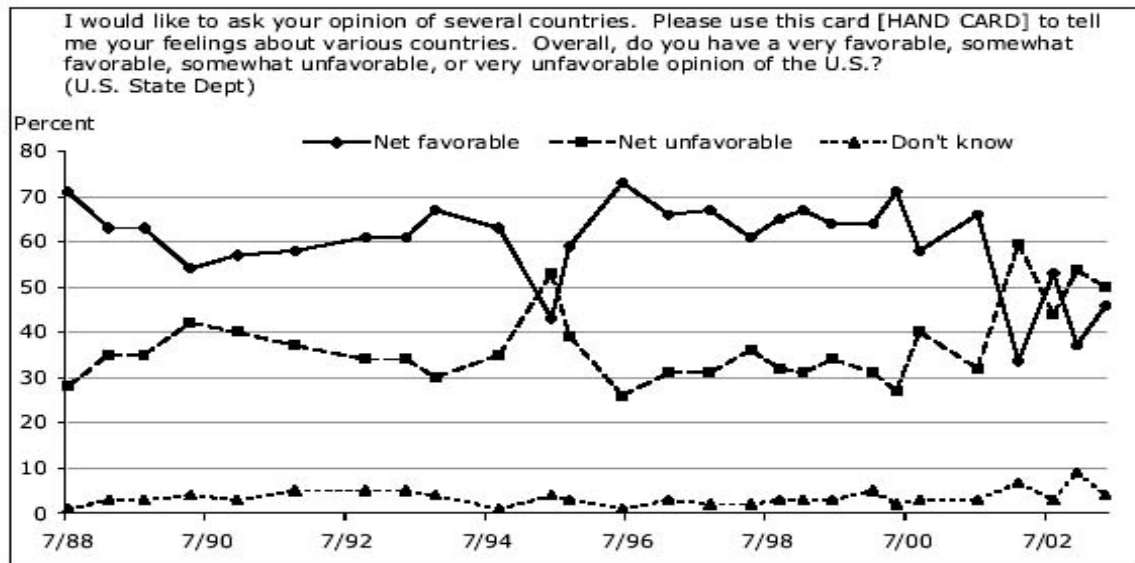


Figure 4. Pro-Americanism and Anti-Americanism (From: The Department of States)

Also, as we can see in Table 3, the younger people have more anti-American sentiments.⁹⁵

Table 3. Koreans' anti-Americanism, 2002

Question: What are your feelings about the United States?

| Age | Very friendly | Somewhat friendly | Somewhat hostile | Very hostile | Do not know | Number Polled |
|-----------|---------------|-------------------|------------------|--------------|-------------|---------------|
| 20s | 4.8% | 18.3% | 28.8% | 41.4% | 6.7% | 261 |
| 30s | 2.2 | 19.0 | 38.4 | 35.6 | 4.8 | 275 |
| 40s | 11.1 | 29.8 | 26 | 29.4 | 3.7 | 208 |
| Above 50s | 18.6 | 31.4 | 22.5 | 16.9 | 10.6 | 288 |

Source: From RAND (2004)

⁹⁵ RAND, A Study of Korean Attitude Towards the U.S. (New York: RAND,[2004]), 52-53.

What does anti-Americanism mean? Korean specialists divided the meaning of anti-Americanism into three definitions:⁹⁶

- “Anti-America”: Some radical student groups or left-wing tendency scholars and journalists advocate this believe, which rejects and strongly opposes the United States and its policies.
- “Pragmatism anti-America”: People, who do not just deny the United States itself, but raise questions about special matters such as inequality of the SOFA treaty, environment problems, and handing back wartime OPCON.
- “Anti-America sentiments”: People who have partial dissatisfaction and criticism about the United States or its policies. In particular, they have the tendency to respond in a temporary sentimental way about sensitive matters which bring resistance.

“Pragmatism anti-America” can be helpful to the relations between South Korea and the United States and it is natural thinking as a Korean, but “Anti-America” and “Anti-America sentiments” are not helpful at all. Also, these can be obstacles to Korean unification because these negatively effect U.S.-ROK relations. Even though these have been serious issues since 2002, there has not been enough research about these issues in the United States and Korea. Therefore, these questions should be researched deeply when the South Korean government prepares for unification. I will call both “Anti-America” and “Anti-America sentiments” anti-Americanism in my thesis.

⁹⁶ RAND, A Study of Korean Attitude Towards the U.S. (New York: RAND,[2004]), 10.

What are the causes of anti-Americanism? The answers can be as follows:⁹⁷

- South Korea has not taught the post-Korean War generation enough about how the United States worked in the Korean peninsula;
- North Korea has had anti-American propaganda;
- The United States did not respond actively; and
- The pressures of the United States' economic openness and USFK problems.

The South Korean government has not given enough attention to teaching recent history to the younger generations who did not experience the Korean War. They do not know much about how many American soldiers died during the Korean War and how much the United States helped South Korea to recover after the Korean War. South Korean politicians sometimes try to use the younger generations' anti-Americanism for their political purposes. To acquire political power, change the government, and keep their political influence, they take advantage of anti-Americanism. The mass media also encourages the younger generations' anti-Americanism. It does not keep the neutral position between pro-Americanism and anti-Americanism. Anti-Americanism news is always on the front page and pro-Americanism news is always on the second page, because anti-Americanism news attracts readers' attention more. Of course, the United States has made mistakes, but there are also many good things the United States has done for South Korea. South Korea should not just focus on the bad things the United States has done, but teach and publicize the good things the United States has done for South Korea.

⁹⁷ Il Hwa Jung, "Research of South Korean Anti-Americanism," Reunification Theses Collection 3, (2004), 115-120.

North Korea has had propaganda maneuvers to create anti-Americanism in South Korea. Its purpose is encouraging anti-Americanism, withdrawing USFK (United States Forces Korea), and communizing the entire Korean Peninsula. Paul Joseph Goebbels was a Minister for Public Enlightenment and Propaganda in Nazi Germany. His propaganda was accepted as true to not only Germans but also Europeans. North Korea has had more vicious propaganda than Goebbels.⁹⁸

The United States has been lukewarm about anti-Americanism problems. Anti-American people's insistence is that the United States is not interested in Korean unification. Actually, the United States has not given any solutions concerning Korean unification. Therefore, Koreans began to think that the United States does not want Korean unification; moreover they began to think that the United States is the biggest obstacle for Korean unification. However, North Korea keeps insisting on Korean unification without foreign power intervention and announcing detailed plans for unification. Therefore, the sensitive younger generations become anti-American and pro-North Korea.

As South Korea became an economic strong state, economic friction between the United States and ROK has been a serious problem. Especially from the 1990s, the Uruguay Round (UR), World Trade Organization (WTO), International Monetary Fund (IMF), and Free Trade Agreements (FTA) made the problem worse. Particularly, importing farm products is most serious because it is related to farmers making a living. Moreover, SOFA revision, moving the Yongsan Garrison, USFK station expenses, and importing beef has made anti-Americanism worse. These economic and military disagreements made anti-Americanism spread from students to many fields of people.

⁹⁸ Chuloo Kim, "Public Opinion," The Korea Defense Daily, <http://kookbang.dema.mil.kr/kdd/ColumnTypeView.jsp?writeDate=20080421&menuCd=2001&menuSeq=1&kindSeq=1&menuCnt=30912> (accessed 05/21/2008).

What does the South Korean government need to do to prepare for Korean unification concerning anti-Americanism? I will propose some suggestions.

The suggestions are as follow:

- The South Korean government should educate its people to understand what the United States did for us so the people can correct their critical attitude;
- The South Korean government should make Washington understand the South Korean economic situation and encourage it not to pressure Seoul into economic reformation; and
- The South Korean government should persuade its people to understand the necessity of USFK and solve related problems with international standards.

North Korean insistence that the Korean peninsula should be unified without intervention from foreign powers seems like a good idea in most Korean people's point of view, but it is disregarding international situations. The Korean peninsula cannot be unified without help from the surrounding four big states. Also, without cooperation with the states, especially the United States, South Korea cannot anticipate unification after a North Korean collapse. Therefore, unconditional and emotional anti-Americanism should be rejected, but constructive Pragmatic anti-Americanism should be encouraged instead of anti-Americanism. For that, South Korea's correct historical consciousness and cooperation between the United States and South Korea to overcome anti-Americanism are necessary.

b. The People's Republic of China

Would China choose disturbance or acceptance for a unified Korea resulting from the collapse of North Korea? What factors would cause China to reject or accept unified Korea?

The goals of China's domestic and foreign policies are "to build a harmonious society internally and a harmonious world externally."⁹⁹ China's goal to build a harmonious world was shown by President Hu Jintao at the Asian-African summit in April 2005. He said, "Let us make efforts to build a harmonious world based on sustainable peace and co-prosperity." Therefore, China does not want military conflict on the Korean peninsula and a sudden collapse of North Korea. Also, China wants to increase economic power, so China has increased economic cooperation with South Korea since formal diplomatic relations were established on August 24, 1992.

Will China agree or disagree with a unified Korea resulting from a collapse of North Korea? It is not easy to answer this question, so I will analyze the positive and negative factors leading China to agree with a unified Korea, and then I will suggest what the South Korean government needs to do.

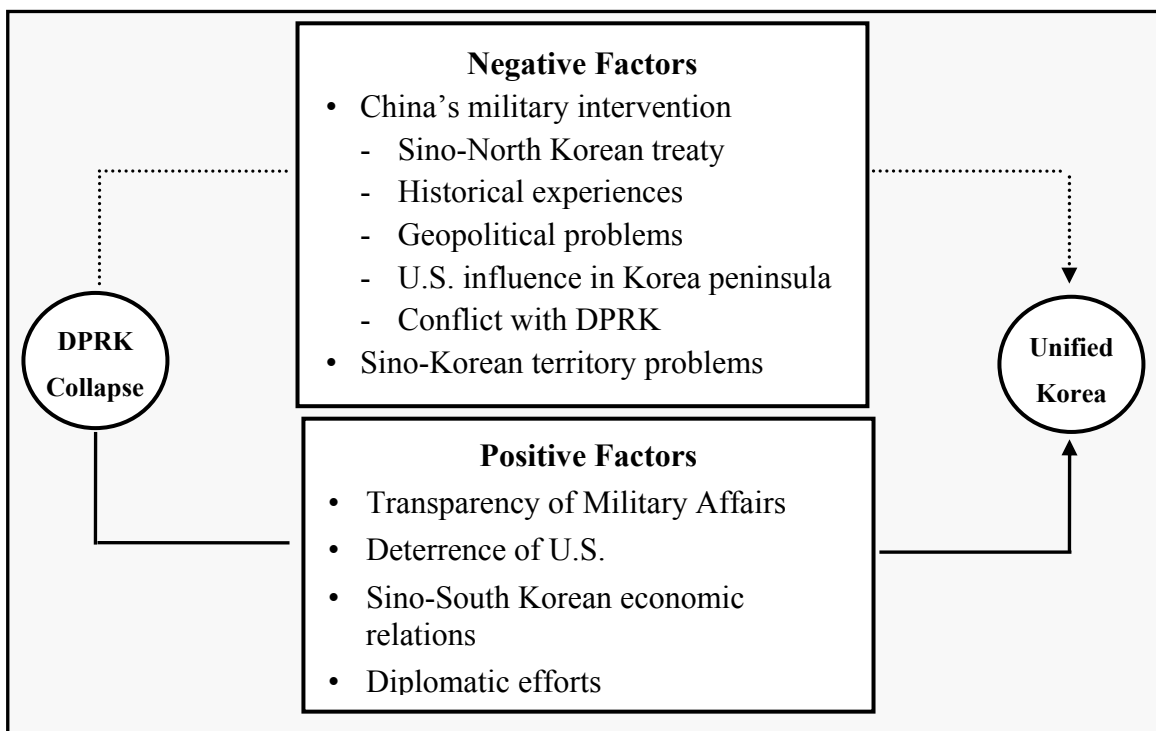


Figure 5. Influences of the Big Four States – People's Republic of China

⁹⁹ Hanguk Chollyak Munje Yonguso, *The Strategic Balance in Northeast Asia* (Seoul: Korea Research Institute for Strategy, 162.

(1). Negative Factors. China's military intervention gives negative influence to a unified Korea resulting from the collapse of North Korea. South Korea and the United Nations already failed to unify the Korean peninsula during the Korean War because of China's military intervention. In the same way, if there is military intervention by China when South Korea tries to absorb collapsed North Korea, South Korea might have to give up the dream of a unified Korea.

The possible reasons for Chinese military intervention in collapsed North Korea are as follow:

- Sino-North Korea treaty;
- Historical experiences;
- Geopolitical problems;
- The United States influence on the Korean peninsula;
- Conflict with North Korea.

In 1961, China and North Korea made the "Treaty of Friendship, Co-operation and Mutual Assistance between the People's Republic of China and the Democratic People's Republic of Korea". This treaty gives legal rights to the Chinese military to intervene in North Korea.¹⁰⁰ Therefore, China can intervene in North Korea if North Korea collapses.

China has historical experience of intervening in North Korea. The most recent historical case is the Korean War. China prepared military intervention in North Korea right after the United States decided to participate in the war. So China

¹⁰⁰ Article 2: "The Contracting Parties undertake jointly to adopt all measures to prevent aggression against either of the Contracting Parties by any state. In the event of one of the Contracting Parties being subjected to the armed attack by any state or several states jointly and thus being involved in a state of war, the other Contracting Party shall immediately render military and other assistance by all means at its disposal."

moved its troops to the border of North Korea in August 1950.¹⁰¹ Chinese troops then entered North Korea on October 19. Why did China participate in the Korea War even though there was no military treaty between China and North Korea? The reason was that China did not want the United States to have influence on the Korean peninsula. China participated in the Korean War because the United States participated in the war. This fact teaches an important lesson that the South Korean government should remember when preparing for a North Korean collapse.

The most recent Chinese intervention previous to the Korean War was when Qing intervened in Chosun during the Insurrection of 1882. At that time, Qing sent troops to Chosun because it worried about increasing influence of Japan in Chosun. Both cases show that China does not want any states to have influence on the Korea peninsula.

Geopolitical problems can be the reason for Chinese intervention. The frontier between China and North Korea is 880 miles. This shared frontier makes up 98.9% of the North Korean frontier. Therefore, China has many problems. If North Korea collapses, many refugees from North Korea will move to China. China has already has a North Korean refugee problem, but if North Korea collapses, the problem will become more serious. Therefore, China might send Chinese troops to North Korea to handle the problem in collapsed North Korea.

The Korean peninsula has been the buffer zone for China. China and Japan have historically had many conflicts and Japan used Korea as a stepping stone in the conflicts. In the present, the U.S.-Japan alliance and the U.S.-South Korea alliance have been threats to Chinese socialism. After the collapse of the Soviet Union, it would be difficult for China to accept another frontier contacting a socialist state's collapse. China would not want that the "domino effect" to effect Chinese socialism.

¹⁰¹ Jangsuck Kang, "The Possibility of Chinese Intervention in the Case of North Korean Collapse," *New Asia* 13, no. 3 (2006), 34.

China and North Korea have been uneasy allies. China gave a lot of economic and military support to North Korea when China had a rivalry with the Soviet Union. But, after its rival state, the Soviet Union, collapsed, China reduced economic and military support. China has only supported North Korea to the extent that barely prevents the collapse of North Korea.¹⁰² China's behavior toward North Korea has changed. China started to have a pragmatic point-of-view about North Korea. If there were a possibility of conflict between North Korea and China, there could be three causes: mass defection from North Korea to China, nuclear weapons of North Korea, and Chinese military intervention when North Korea has severe domestic confusion.

Firstly, mass defection from North Korea is a real pain in the neck for China. China already moved many troops to the border area of North Korea.¹⁰³ But the possibility of using military forces for the problem of defection from North Korea is low. China will try to solve this problem in a diplomatic way. Secondly, if North Korea proceeds with a nuclear plan, China may need military intervention to prevent North Korea's nuclear plan. Thirdly, China already prepared a military strategy for North Korea's implosion.^{104 105} North Korean economic control has already failed, the food distribution system is barely working, and many people are leaving North Korea. These signs give China the chance to consider military intervention in North Korea.

Sino-Korean territorial problems and history distortion have been serious. Gando and Baekdu Mountain have been controversial areas between China and South Korea. Gando is a part of Manchuria where many Koreans live. Also, China has insisted that Koguryo was part of China. So China's government mandated this Chinese

¹⁰² Harrison, *Korean Endgame: A Strategy for Reunification and U.S. Disengagement*, 311-314.

¹⁰³ "China Erects Fence Along N. Korea Border - USATODAY.Com," http://www.usatoday.com/news/world/2006-10-16-china-nkorea_x.htm (accessed 02/23/2008).

¹⁰⁴ Reuben Johnson, "Clock Ticking for Kim's Korea - Jane's Country Risk News," http://www.janes.com/news/security/countryrisk/jdw/jdw080124_1_n.shtml (accessed 02/23/2008).

¹⁰⁵ Bradley Martin, "China, U.S. make Plans for North Korea Collapse, Reports Say," <http://www.bloomberg.com/apps/news?pid=20601087&sid=act8mDkXaQtQ&refer=home> (accessed 02/23/2008).

history guideline to the Chinese education organization for teaching Chinese history. The guideline says Koguryo's history is a part of Chinese history.¹⁰⁶ Why does China insist that Koguryo is a part of its history? The reason is that China has historical concern about the area of Manchuria. Manchuria became a part of China after the establishment of the Qing Empire. Because South Korea has been very eager to recover the lost land, China worries about that. If Korea is unified after a North Korean collapse, Korea will be more anxious to recover the lost land. Therefore, China may want to maintain its current situation in the Korean peninsula.

(2) Positive Factors. In this case, what does the South Korea need to prepare for Chinese issues? The answers can be as follow:

- Transparency of Military Affairs;
- Deterrence of the United States and Japan;
- Sino-South Korean economic relations; and
- Diplomatic efforts.

South Korea should only increase military power to just enough to maintain peace on the Korean peninsula. South Korean military power should not be a threat to China. Also, South Korea needs to ensure China that a unified Korea will not be a threat to China. If China does not feel threatened by a unified Korea, Chinese attitudes toward the territory and history distortion problems will change and China will feel less necessity to intervene in a collapsed North Korea. Also, United States Forces Korea (USFK) should be reduced so it would not be a threat to China in the unified Korea. China should not be threatened by USFK in unified Korea so USFK should be stationed

¹⁰⁶ DongaDotCom, "China 'Distortion of Koguryo History'," [http://www.donga.com/fbin/moeum?n=goguryo\\$j_587&a=v&l=6&id=200408010301](http://www.donga.com/fbin/moeum?n=goguryo$j_587&a=v&l=6&id=200408010301) (accessed 04/14/2008).

in the southern part of unified Korea. Because USFK can serve a mediator role for increasing Japanese military influence on the Korean peninsula, a moderate-sized USFK should be fine for China.

The United States will be the main deterrence for Chinese intervention in collapsed North Korea. The deterrence can be conducted in two ways: military and economic.¹⁰⁷

In the Korean War, the United States military played a decisive role in deterring the Soviet Union's military intervention. Even though the United States military's participation in the Korean War brought China's intervention, the United States military played an important part in rescuing South Korea from invasion by North Korea. The main obstacle for China to intervene in a collapsed North Korea will be the United States Forces Korea (USFK). But, the important point is that too many USFK troops may bring China's intervention on the Korean peninsula, because China does not want the United States to have much influence in unified Korea. Therefore, the number of USKF troops should be carefully considered so as not to stimulate China.

The trade between the PRC and the United States has increased amazingly. Total bilateral trade between the two states has grown from 33 billion United States dollars to more than 230 billion the Unites States dollars in 2004. Also, in 2006, the United States trade deficit with China exceeded 350 billion U.S. dollars and was the United States' largest two-way trade deficit that year.¹⁰⁸ China wants to be an economically strong state and China is mostly depending on the United States. The United States can use this economic situation properly.

South Korea also has been an important state for China's economic development. In 2006, Chinese Premier Wen Jiabao said that trade with South Korea

¹⁰⁷ Jangsuck Kang, "The Possibility of Chinese Intervention in the Case of North Korean Collapse," *New Asia* 13, no. 3 (2006), 41.

¹⁰⁸ "People's Republic of China-United States Relations: Information and Much More from Answers.Com," <http://www.answers.com/topic/sino-american> relations (accessed 04/15/2008).

would be 200 billion U.S. dollars.¹⁰⁹ So if South Korea is able to convince China that unified Korea will not be a threat and give economic help to China, it will be helpful to deter China's intervention in a collapsed North Korea.

The South Korean government should learn from the diplomatic policy of West Germany's previous Chancellor Helmut Kohl. When the Soviet Union had economic difficulty in the late 1980s, it needed economic help from foreign states. The Kohl government did not lose this chance and received the Soviet Union's trust through economic assistance. Due to Kohl's efforts, he could visit Moscow in 1988 and Mikhail Gorbachev visited Bonn in 1989. And then, the West German government achieved a unified Germany without any foreign state's intervention through diplomatic negotiation with the Soviet government, which opposed Germany unification.¹¹⁰ The South Korean government should persuade the Chinese government that a unified Korea will be beneficial to China.

c. Japan

Does Japan want Korea to be unified? South and North Koreans think that Japan does not want Korea to be unified, because unified Korea can be a new threat to Japan. The basis of this idea stems from the Korean people's emotional hatred born of historical tragedies with Japan. Japan has had an opportunistic posture toward Korean issues after the Korean War. Japan's "two Korea" policy shows that Japan wants to have economic trade with, and political influence on both Koreas. Whether or not Korea is unified does not seriously matter to Japan. However, Japan worries about the impact of a North Korean sudden collapse, dragging into a possible future Korean war, and expansion of unified Korea's influence.

¹⁰⁹ "China Hopes for Jump in Trade with South Korea," http://www.chinadaily.com.cn/china/2007-04/11/content_848358.htm (accessed 04/15/2008).

¹¹⁰ Gijung Kim, "Possibility of Multi-National Forces Dispatch and Foreign Policy Implication for South Korea in Times of North Korean Collapse," *Strategy Research* 6, no. 3 (1999), 73.

If North Korea suddenly collapses, there will be many refugees from North Korea going to Japan. Also, Japan may share the economic burden with South Korea resulting from a sudden North Korean collapse. Therefore, if North Korea collapses, a “soft landing” is better than a “hard landing” to Japan, so Japan will pursue a “soft landing” policy toward North Korea.

Japan does not want to be involved in a possible future Korean war. Because of the Japan-U.S. military alliance, Japan may face involvement in the war even though Japan does not want to. Even though Japan does not want involvement in the war, Japan could be a target of North Korean missiles because of the United States bases in Japan or due to a strategic attack by North Korea on Japan to encourage China to get involved in a Korean war. Even though Japan had economic benefits during the Korean

War, the benefits were offset by the costs Japan paid to help North Korea in the following years. Therefore, a future possible war on the Korean peninsula would not be desirable to Japan.

The last concern Japan may carry is a military alliance between a unified Korea and China to reduce Japanese power in Northeast Asia.¹¹¹ Because Korea and China both have historical anti-Japanese emotions, Japan does not want a unified Korea and China to be military allies, and also, unified Korea and China do not want Japan to have much military influence in Northeast Asia. China can use a unified Korea to offset the increasing influence of Japan in Northeast Asia.¹¹² Because Korea has not been a military threat to China historically, if there is no increasing influence or threat of USFK (United States Forces Korea), China can use the card of Korean unification to control Japanese power.

¹¹¹ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 305.

¹¹² Sang Soo Lee, "China, Supports Korean Unification to Restrain Japan," *The Hankyoreh*, <http://www.hani.co.kr/arti/international/china/15151.html> (accessed 04/23/2008).

Does Japan want both Koreas to be unified? Harrison said in his book, *Korean Endgame*, that “many Japanese do foresee several ways in which a unified Korea could prove to be more dangerous for Japan in security terms than the status quo.”¹¹³ Japan can be neither a positive factor nor a negative factor for Korean unification, but the South Korean government can use the relations between China and Japan.

d. Russia

The Russian government has announced that it supports Korean unification. At the 1991 summit talks on Jeju Island, former Russian President, Mikhail Gorbachev, said that Russia supports Korean unification.¹¹⁴ Also, the next President, Vladimir Putin, said that Russia gives “full support for peaceful reunification of the Korean Peninsula.”¹¹⁵ Unlike Japan, unified Korea does not pose much threat to Russia. On the contrary, Russia can receive economic help from unified Korea. Trade between South Korea and Russia has increased rapidly. The amount of trade between the ROK and Russia was 15.06 billion U.S. dollars in 2007 and South Korean economic experts expect that Russia could be South Korea’s fourth largest export state.¹¹⁶ Also, Russia thinks unified Korea could be a help in relations with Japan. Russian scholar Gennady Chufrin said, “If history is properly considered, a unified Korea would be close to us, which would improve our bargaining position against Japan,” and also said “of the involved powers – China, Japan, the United States, and Russia – Russia has the least to lose politically, militarily, or economically from unification.”¹¹⁷ Russian Diplomatic

¹¹³ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 304.

¹¹⁴ National Archives and Records Services, "Gorbachev's Visit to Jeju Island, Summit Talks," <http://contents.archives.go.kr/next/content/listSubjectDescription.do?id=002906> (accessed 04/23/2008).

¹¹⁵ "Putin Reaffirms Support for Korean Unification Ahead of APEC Visit. | YON - Yonhap News Agency of Korea (November, 2005)," http://www.accessmylibrary.com/coms2/summary_0286-11618520_ITM (accessed 04/23/2008).

¹¹⁶ Korea Finance Paper, "Russia, South Korea's 4th Biggest Export State," <http://news.jknews.co.kr/article/news/20080220/6404264.htm> (accessed 04/23/2008).

¹¹⁷ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 354.

Committee Parliamentarian Chopeu Cossa said “Unified Korea will be a very realistic ‘balance’ to dealing with Japan and China in the process of development in Far Eastern Russia and East Siberia. That accorded with our interest.”¹¹⁸ President Putin, who has the goal of a “strong state”, will participate in the process of Korean unification and has plans to increase Russian influence in Far East Asia.

On the other hand, there are reasons for Russian opposition concerning unification of Korea. Unification of Korea may bring an increase in Japanese military. Increasing Japan military will be a considerable threat to Russia. Also, if Russia thinks that a unified Korea will not be friendly to Russia, Russia will be an obstacle to a unified Korea. USFK in a unified Korea can be a threat to Russia. Therefore, the Korean government needs to make Russia think that a unified Korea will not be a threat and give economic benefits to Russia.

2. Reducing Political Differences Between the Two Koreas

a. Unification Policy of South and North Korea

Both Korean unification policies are based on their constitutions. The South Korean constitution includes the concept that South Korea is the only legal state on the Korea peninsula.¹¹⁹ On the other hand, although there is no article concerning North Korean territory in the North Korean Constitution, Article 103 implies that North Korean territory is part of the Korean peninsula.¹²⁰ South and North Korea both insist that their state is the only legal state on the Korean peninsula. The South and North Korean

¹¹⁸ SegyeIlbo, "Russia Supports Korean Unification-Link to Northeast Development," <http://www.segye.com/Articles/News/International/Article.asp?aid=20060308000024&ctg1=01&ctg2=00&subctg1=01&subctg2=00&cid=0101040100000&dataid=> (accessed 04/23/2008).

¹¹⁹ South Korean Constitution Article 4: “The Republic of Korea territory is the Korean peninsula and islands.”

¹²⁰ North Korean Constitution Article 103: “Democratic People’s Republic of Korea Capital is Seoul.”

unification policies have been opposed, varied, and self-centered. Researching the two unification policies is important when we consider a unified Korea.

(1) South Korean Unification Policy. South Korea's unification policy has shown South Korea's overall ability compared to that of North Korea.¹²¹ When South Korean military and economic power was inferior in the 1950s and 1960s, the South Korean unification policy was passive and dependent. In the 1970s the South Korean unification policy started to adjust, but it was still a passive policy which only focused on settlement of peace on the Korean peninsula because of inferior military power. But from the 1980s the South Korean unification policy changed from passive to active because South Korean military and economic power has overwhelmed that of North Korea.

The unification policy of the First Republic of South Korea, Rhee Syngman's administration, was both accomplishing unification through general election in North Korea under the United Nations' supervision and unification through military power. Rhee Syngman tried to unify the Koreas during the Korean War but failed because of China's military intervention.

Rhee's regime was changed by the "4·19 Revolution," and the Second Republic of South Korea was started by the "7·29 General Election." This was the first and the only time South Korea had a cabinet system instead of a presidential system. Yun Po Sun was elected President, but he had only a nominal role. Therefore, the prime minister and head of government was Chang Myon. Chang Myon's government abandoned the unification by military power and he thought South Korea needed to have economic power before having unification.¹²² The Second Republic of

¹²¹ Youngjae Kim, "Analysis of South and North Korea's Unification Policy," *Institution of Diplomatic Historical Science of Korean Politics* 22, no. 1 (2000), 376.

¹²² Harkjoon Kim, "KodiaView," <http://www.koreandb.net/dictionaries/Viewframe.aspx?id=2198> (accessed 03/03/2008).

South Korea's unification policy was having a general election both in South and North Korea under the United Nations' supervision.

Table 4. Comparison of South and North Korea's unification policies

| Time | South Korea | Time | North Korea |
|--|--|---------------|---|
| [1948 – 1960] The 1 st Republic | (Rhee Syngman) general election in North Korea under United Nations' supervision, military power. | [1948 – 1960] | secret voting of South and North Korea after withdrawal of foreign military in Korea peninsula |
| [1960 – 1962] The 2 nd Republic | (Chang Myong) general election both in South and North Korea under United Nations' supervision. “Precedence Economic Construction, Afterward Unification.” | [1960s] | “Inter-Korean Federation” (1960) “Strengthening Three Revolution Capacities” |
| [1963 – 1972] The 3 rd Republic | (Park Chung-hee) “Precedence Construction, Afterward Unification.”(1960) “Three Basic Principles of Peaceful Reunification,” “Precedence Peace, Afterward Unification.”(1974) | | |
| [1972 – 1981] The 4 th Republic | (Park Chung-hee) (Choi Kyu-hah) (Chun Doo-hwan) | [1970s] | “Federal Republic of Korea” “Fatherland Unification Five Policies.” “Federal Republic of Korea” |
| [1981 – 1988] The 5 th Republic | (Chun Doo-hwan) “National Unity Democratic Unification,” “Provisional Agreement on the Relationship between the Two Koreas Base” (1982) | [1980s] | “Korea Democratic Federal Republic” |
| [1988 – 2000s] The 6 th Republic | (Roh Tea-woo) “Special Presidential Declaration for Ethnic Pride and Unified Prosperity” (1988) “Korean Community Unification”(1989) (Kim Young-sam) “Ethnic Communities Unification”(1994) (Kim Dae-jung) “Federation Republic” (1987) “Three Steps Unification Theory” (1991) “June 15 th South-North Joint Declaration”(2000) (Roh Moo-hyun) “Policy for Peace and Prosperity”(2003) | [1990s] | “Loose Federal Unification” |
| | | [2000s] | “June 15 th South-North Joint Declaration” “The Low-level Federation” |

Source: (After Kim 2006, 49-67)

The difference between the Second Republic of South Korea's unification policy and the first one was having a general election not only in North Korea, but also in South Korea.

The unification policy of having a general election both in South and North Korea continued in the Third Republic of South Korea. After Park Chung-hee grasped political power through a military coup, he focused on capacity improvement for unification with the slogan: "seongeonseol hutongil." ('First Construction, Then Unification') In the 1970s, because of international détente and the South and North talks, the "7·4 Inter-Korean Joint Statement," the unification plan was solidified. President Park announced his "Three Basic Principles for Peaceful Reunification." It says (1) we should have peace on the Korean peninsula. For this to happen, the South and the North should conclude an inter-inviolability treaty; (2) the South and the North should open the doors and recover trust. For this to be possible, multiple interchanges and cooperation are necessary; (3) based on these factors, South and North Korea should complete unification through free general election.¹²³ These principles represented the "seonpyeonghwa, hutongil" ('First Peace, Then Unification') policy of the Third Republic of South Korea. According to these principles, the general election did not mean an election under the United Nations' supervision.¹²⁴

The Fourth Republic of South Korea collapsed with the assassination of President Park and the Fifth Republic of South Korea started with President Chun Doo-hwan. Chun's administration proposed "National Unity Democratic Unification." The content of this plan was as follows: (1) creating a "National Unification Council" with South-North representatives; (2) preparing a unified constitution pursuing ideology of people, democracy, freedom, and welfare; (3) confirmation and promulgation of a unified constitution through South-North free national voting; (4) having a general election through the unified constitution and

¹²³ Kim, *Analysis of South and North Korea's Unification Policy*, 379.

¹²⁴ *Ibid.*, 380.

creating a unified National Assembly and government.¹²⁵ Additionally, he suggested agreeing on the following seven clauses of “Provisional Agreement on the Relationship between the Two Koreas”: (1) maintaining inter-relations based on the principles of equality and mutual benefit; (2) resolving inter-troubles not by force and violence but through conversation; (3) recognition of the different political and social affairs, nonintervention; (4) maintaining armistice and eliminating a state of confrontation arms race; (5) promoting mutual exchanges and cooperation through mutual openness; (6) respecting international treaties and agreements of the nation; (7) installing resident contacted representatives in Seoul and Pyongyang.¹²⁶

Roh Tae-woo’s administration, the Sixth Republic of South Korea, announced the “Special Presidential Declaration for Ethnic Pride and Unified Prosperity” on July 7, 1988. The content of this declaration is as follows: (1) free national and international travel for the two Koreas to open doors, (2) active support of written correspondence, living/deceased verification, and address verification prior to meetings of separated family members, (3) opening the doors for inter-Korean trade and considering such trade as domestic trade, (4) no opposition toward North Korea’s non-military related trade with South Korea’s allied countries (5) North Korea to improve relations with South Korean allies, including the United States and Japan, and South Korea to improve relations with socialist countries.¹²⁷ This was an active declaration to urge North Korea’s behavior against South Korea according to détente period. The Roh administration also announced the “Korean Community Unification” on September 11, 1989. This plan followed the “Special Presidential Declaration for Ethnic Pride and Unified Prosperity.” This plan had three steps of unification: (1) Adapting an ethnic

¹²⁵ National Archives and Records Services, "National Unity Democratic Unification," <http://contents.archives.go.kr/next/content/listSubjectDescription.do?id=003340&pageFlag=> (accessed 03/03/2008).

¹²⁶ Kim, Analysis of South and North Korea's Unification Policy, 380.

¹²⁷ Encyber, "Ethnic Pride and Prosperity for the President to Declare a Special," http://www.encyber.com/search_w/ctdetail.php?gs=ws&gd=&cd=&q=&p=1&masterno=351552&contentno=351552 (accessed 03/03/2008).

community charter through South and North summit meetings; (2) Passing through the Korean Commonwealth; and (3) Establishing the Democratic Republic of Unified Korea prepared by the Constitution from the council of the inter-Korean reunification based on the unified government in a general election.¹²⁸ This unification plan complemented the existing unification plans which had not enough middle process of unification and proposed “The Korean Commonwealth” as a transition system toward a unified Korea. South and North Korea are sovereign states in “The Korean Commonwealth” but the relations are not international relations, but special relations based on domestic law. Therefore, “The Korean Commonwealth” is different from “Confederation” and “Federation.” “The Korean Commonwealth’ does not mean ‘One People, Two States’ but ‘Two systems for one People.’”¹²⁹ This unification plan maintained South Korea’s long-term unification policy which had processed as follows: (1) conformation and promulgation unification constitution through democratic way and process; (2) having a general election by the unified constitution; (3) completing the creation of a unified Korea.

Kim Young-sam’s administration announced “Ethnic Communities’ Unification.” (The full name is ‘Korean unification community for the construction of Phase 3.’) This plan had a three-step process unification plan: (1) Cooperation and reconciliation; (2) two Koreas union; (3) national unification completion. This plan was somewhat similar to Roh’s unification plan.

Kim Dae-jung proposed a “Federation Republic” on August 15, 1987. This plan was based on the three Codes of Conduct: peaceful coexistence, peaceful exchange, and peaceful reunification. Also, Kim Dae-jung announced the “Three Steps Unification Theory”: (1) 1 union, 1 people, 2 states, 2 systems, 2 independent governments (2) 1 federation, 1 people, 1 state, 1 system, 2 local governments (3) 1 people, 1 state, 1 system, 1 central government.

¹²⁸ Kim, Analysis of South and North Korea’s Unification Policy, 382.

¹²⁹ Ibid., 383.

The historical inter-Korean summit talks were held from June 13 – 15, 2000. At this meeting, the two summits made the “June 15th South-North Joint Declaration.” This declaration includes agreements between South and North Korea. These agreements include:¹³⁰

- The North and the South agreed to solve the question of the country’s reunification independently by the concerted efforts of the Korean nation responsible for it;
- The North and the South, recognizing that the low-level federation proposed by the North and the commonwealth system proposed by the South for the reunification of the country have similarities, and agreed to work together for the reunification in this direction in the future;
- The North and the South agreed to settle humanitarian issues as early as possible, including the exchange of visiting groups of separated families and relatives and the issue of unconverted long-term prisoners, to mark August 15, this year;
- The North and the South agreed to promote the balanced development of the national economy through economic cooperation and build mutual confidence by activating cooperation and exchange in all fields, social, cultural, sports, public health, environmental and so on;
- The North and the South agreed to hold an authority-to-authority negotiation as soon as possible to put the above-mentioned agreed points into speedy operation.

(2) North Korean Unification Policy. North Korea’s unification policy also has changed as North Korea’s ability lessened compared to that of South

¹³⁰ Ministry of Unification, “June 15 South-North Joint Declaration,” http://dialogue.unikorea.go.kr/sub1/sub1_5.asp?AC=read&kdial_serno=3000&sbKdial_code=67&gotopage=&search=1&searchstring= (accessed 03/03/2008).

Korea. In the 50s, 60s, and 70s, North Korea's unification policy was active because its military and economic power was superior to South Korea's. South Korea's military and economic ability has been superior to North Korea since 1980, so North Korea's unification policy has changed to a passive policy.¹³¹

At the second "buk ro" party convention in 1948, Kim Il Sung proposed unification by secret voting of South and North Korea after the withdrawal of foreign military on the Korean peninsula. After that North Korea organized "the Democratic Front for the Reunification of the Fatherland" which undertook a unification campaign in North Korea in June 1949. North Korea tried to unify the Korean peninsula by war in 1950, but they failed. After the Korean War, North Korea proposed unification by South and North Korean general election under supervision of a neutral state at the Geneva conference in 1954.¹³²

In the 1960s, Kim Il Sung's regime was settled and North Korea's military ability was superior to South Korean ability so North Korean actions toward unification was very scrappy. The North Korean unification policy was stimulated by Park's anticommunism policy, so North Korean military power provocations were increased.¹³³

North Korea suggested an "Inter-Korean Federation" for the first time in August 1960. There were matters to be attended to in the suggestion. First, it was the first suggestion of a federation. Second, the general election for establishing an "Inter-Korean Federation" had the condition of the withdrawal of foreign military in South Korea. Third, an "Inter-Korean Federation" was selected not as the only way to unification, but as one of the ways to unification. Fourth, an "Inter-Korean Federation"

¹³¹ Ministry of Unification, "June 15 South-North Joint Declaration," 384.

¹³² The Board of National Unification, Comprehensive Bibliography of South and North Korean Unification Proposal Datum, Vol. 1 (The Board of National Unification, 1985), 240-241.

¹³³ Junhee Lee, "Consideration about North Korean War and Peace Two Faced Unification Policy," Research of Mental Military Power 28 (2001), 170.

was closer to a confederation than a federation because of maintaining South and North Korean systems.¹³⁴ North Korea's "Inter-Korean Federation" was rejected by South Korean Chang Myon's government. Because of the government's rejection of the North Korean proposal, there was opposition. So North Korea proposed the "Inter-Korean Federation" again and the organizing of a "Committee of Fatherland Peaceful Unification" in 1961, but North Korea stopped the proposal because of Park's new government, which had strong anticommunism sentiments. But North Korea's ulterior motive to make South Korea a communist state with the "Inter-Korean Federation" was revealed in "Strengthening Three Revolution Capacities," which has been the basis of the North Korean unification policy. The three revolution capacities consisted of North Korea's revolution capacity, South Korea's revolution capacity, and international revolution capacity. The first and third revolution capacities somewhat succeeded, but the second revolution capacity failed. North Korea also emphasized that "Strengthening Three Revolution Capacities" was the unification plan of North Korea in the 1960s.

South and North Korea's relations had changed from the 1970s because of the international détente atmosphere. North Korea proposed federation unification again in 1970s and suggested a "Federal Republic of Korea" with the "Fatherland Unification Five Policies." The five policies were an easing of strained relations between South and North Korea, actualization of various cooperation and interchange between South and North Korea, convocation of national meetings consisting of citizens, and representatives of parties and social organizations, establishing an inter-Korean federation by the name of the Federal Republic of Korea, and joining the United Nations with the name the "Federal Republic of Korea." Both federations of the 1960s and the 1970s are transitional period unification of Korea.

In October 1980, North Korea proposed a "Korea Democratic Federal Republic." The special features of the "Korea Democratic Federal Republic" are as follow: First, the "Korea Democratic Federal Republic" is not a transient unification of

¹³⁴ Kim, Analysis of South and North Korea's Unification Policy, 386.

Korea, but final unification of Korea. Second, this has two local governments, a sovereign state, and a neutral state. Third, North Korea abandoned general election. Fourth, North Korea suggested establishing national allied forces, which consisted of reduced South and North military.

Kim Il Sung proposed a “Unification by Federal System Based on One People, One State, Two Systems, and Two Governments.” Also, he said that South Korea’s “One state, One system” might bring a split of unified Korea, therefore easing into one system in the next generation. In other words, he wanted South and North Korean governments to have diplomatic and military authority: “Loose Federal Unification.”¹³⁵ This meant North Korea did not want the unification type of unified Germany.¹³⁶

Until 2000, North Korea had claimed “First Unification, Later Cooperation” without consideration of a middle-step of unification. Therefore, there had been no meaningful interchange and cooperation. But, after North Korea proposed a “Low-level Federation” in the first summit meeting and changed to “First Cooperation, Later Unification,” South-North economic cooperation was propelled. The “Low-level Federation” was proposed in the South and North summit meeting. This policy was based on the principle of one people, two states, two systems, and two governments. According to this policy, the South and North have individual governments and each government has political, military, and diplomatic rights.¹³⁷ North Korean steps of unification are: first, unitary states of South and North Korea; second, low level federation Korea; and lastly, federation Korea. On the contrary, South Korean steps of unification are: first, unitary states of South and North Korea; second, confederation Korea; and lastly, the unitary state Korea.

¹³⁵ Lee, Consideration about North Korean War and Peace Two Faced Unification Policy, 173.

¹³⁶ Kim, Analysis of South and North Korea's Unification Policy, 392.

¹³⁷ Sungjang Jung, "North Korean 'Low Level Federation'," Situations and Policies (2007), 5.

b. North Korean Policies

(1) Reform of North Korea. After the Cold War, assistance from the Soviet Union and China ceased and made the North Korean economic situation worse. Kim Jong Il asked for economic aid from Russia and Japan, but was denied.¹³⁸ North Korea could not recover the close relationship with Russia like the close relationship it had with the Soviet Union. Also, North Korea had a kidnapping problem with Japan so the Kim Jong Il –Koizumi summit failed. A food shortage resulting from the bad economic situation facilitated private farmers markets in North Korea and the need for reform started to increase. In this situation, Kim Jong Il had to choose one of two options: forbidding private farmers markets by force, or reforming the economic systems. He chose the latter option.¹³⁹ On the other hand, his choice was not welcomed by the Workers Party and hard-liners, and his regime was not strong enough compared to his father's regime to push his choice. Therefore, his reform policy was called "reform by stealth." Despite hard-liners' opposition, he had a few successes in reforming the economy with reformer's support such as with the Sinuiju investment area. Reformers and hard-liners had conflicted during the reform process, and it was one of the bigger obstacles to the reform policy. Also, the nuclear program was another obstacle to the reform policy. North Korea's nuclear program kept foreign investors from investing in and cooperating with North Korea. Also, the North Korea nuclear program brought financial sanctions and a cease in assistance. Bradley Babson, an East Asian specialist who worked twenty-six years for the World Bank, assessed North Korea reforms as "not sufficient to assure a turnaround in North Korea's economic crisis and even add new risks, particularly the risk of inflation. To achieve sustainable economic growth, North Korea will need more policy reform towards a market economy."

(2) "Seongun Policy" The Rodong Sinmun, a North Korean newspaper, said in an editorial that "The Great Kim Jong Il's Seongun Policy brightens

¹³⁸ French, *North Korea: The Paranoid Peninsula--a Modern History*, 139.

¹³⁹ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 25.

the road of the fight for independence and socialism is our era's revolutionary leading indicator"¹⁴⁰ This editorial showed that Kim Jong Il's policy has shifted from economic reform to the "Seongun Policy."¹⁴¹ The "Seongun Policy" (military-first policy) began in 1995, the year after Kim Il Sung's death and became the major ideology of the regime and "Juche." "Seongun Policy" "calls for giving priority to military issues over everything and it is a strategy and tactics of putting the army before the working class."¹⁴² There are a few reasons why Kim Jong Il has had the "Seongun Policy."

These reasons include:

- Kim Jong Il's concern the North Korean military will be a threat to his regime;¹⁴³
- Collapse of the Soviet Union, China and South Korea's improved relations, and the United States' centered unipolarity in international relations;
- A weak military alliance among Russia, China, and North Korea; and
- Military tension between North Korea and the United States.

There was dissatisfaction among the military leaders when Kim Jong Il was decided on as the successor of Kim Il Sung. Therefore, the "Seongun Policy" can be considered a compromise between Kim Jong Il and the military leaders. Also, the "Seongun Policy" made it possible for the military to become Kim Jong Il's power base.

Kim Jong Il felt the need of self-dependence when the Soviet Union collapsed, and Sino-South Korea relations improved. Therefore, he needed strong

¹⁴⁰ An Editorial of Rodong Sinmun(21 March 2003), "Seongun Ideology is an Ever-Victorious, Invincible Banner for our Era's Cause of Independence," <http://www.kcna.co.jp/today-rodong/rodong.htm> (accessed 03/13/2008).

¹⁴¹ French, North Korea : The Paranoid Peninsula—a Modern History, 216.

¹⁴² French, North Korea: The Paranoid Peninsula--a Modern History, 218.

¹⁴³ Harrison, Korean Endgame : A Strategy for Reunification and U.S. Disengagement, 60.

military power. Also, Kim Jong Il emphasized the importance of military power to fight against the United States' imperialism.

North Korea always worried about a United States surprise attack against North Korea to change the Kim Jong Il regime. ROK-U.S.'s joint military drills have been big threats to North Korea, and finally, North Korea holds nuclear weapons to resist the United States threats.

(3) "Brinkmanship" with Nuclear Weapons. The reasons why North Korea wants to have nuclear weapon are almost the same as the reasons for having the "Seongun Policy." While the "Seongun Policy" is to secure Kim's regime from an inside threat, nuclear weapons are to secure his regime from outside threats. The ambition of holding nuclear weapons came from Kim Il Sung. Kim Il Sung learned the effect of nuclear brinkmanship from Truman and Eisenhower. Nuclear weapons were used as their bargaining chip during the Korean War and to force an armistice.¹⁴⁴ Therefore, Kim stated a nuclear weapons program as soon as the Korean War ended. After the Korean War, an increasing ROK-U.S. military threat to North Korea facilitated Kim Il Sung's will to hold nuclear weapons.

Finally, North Korea holds nuclear weapons. Guessing the number of nuclear weapons is varied according to analysts, but they are assured that North Korea holds nuclear weapons. Kim Jong Il has more confidence in diplomatic negotiations and is feeling less threat from the United States military. Kim Jong Il needs to choose between abandoning and holding nuclear weapons. His choice is very important to the future security of the Korean peninsula. Even if the United States government has changed to an engagement policy, the United States' next government will not accept North Korean nuclear weapons. If Kim Jong Il chooses to abandon nuclear weapons, North Korea can have economic assistance and it will be very helpful to alleviate North Korea's recent economic crisis. On the contrary, if Kim Jong Il chooses to hold nuclear

¹⁴⁴ French, *North Korea: The Paranoid Peninsula—a Modern History*, 225.

weapons and use them as a brinkmanship, the Korean peninsula security situation will become more complicated.

B. MILITARY AREA

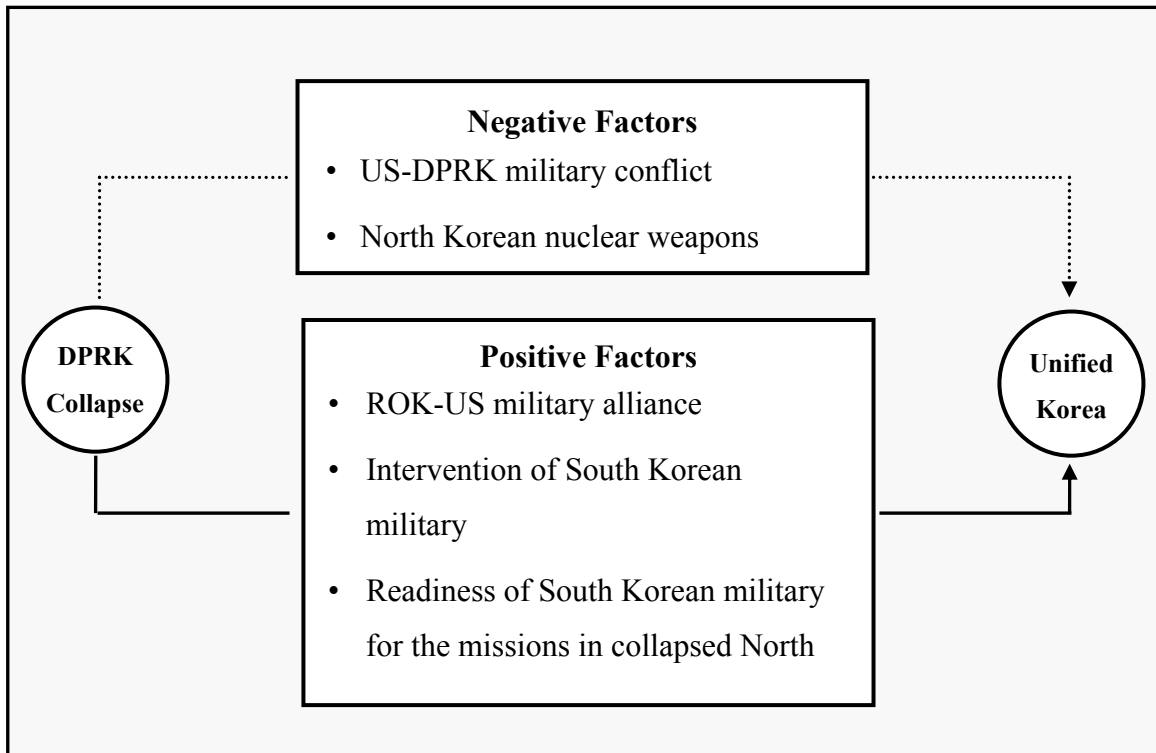


Figure 6. Military Area

1. Negative Factors

a. *U.S.-DPRK Military Conflict*

The United States created “OPLAN 5026” to prepare for the North Korean nuclear crisis in 1993.¹⁴⁵ This plan includes a precise attack on North Korean nuclear

¹⁴⁵ "OPLAN 5029," <http://www.globalsecurity.org/military/ops/oplan-5029.htm> (accessed 02/24/2008).

facilities. Because this plan would be conducted not by ROK-U.S. CFC (Combined Forces Command), but by PACOM (Pacific Command), the United States could attack North Korea without South Korea. After 9/11, there is a greater possibility that the United States would have a military operation in North Korea without the approval of the United Nations in the name of “the right to self-defense,” such as in Afghan and Iraq war. Also, North Korea has been known to have many “Weapons of Mass Destruction,” so there is a greater possibility that the United States would use the “right to self-defense” despite opposition from China and Russia. The United States military strategy against North Korea has changed since 1998.¹⁴⁶ “OPLAN 5027 – 98” has been changed from a defensive plan to an offensive plan against North Korea. Marine Lt. Gen. Raymond P. Ayres said: “When we are done, they will not be able to mount any military activity of any kind. We will kill them all.”¹⁴⁷ He also said the goal of this plan was to “abolish North Korea as a functioning state, end the rule of its leader, Kim Jong Il, and reorganize the country under South Korean control.” Also, “OPLAN 5027 – 02” includes a military force calculation which is needed to remove North Korean leader Kim Jong Il.¹⁴⁸ “OPLAN 5030” was made in late May 2003 at Secretary of Defense Donald Rumsfeld’s indication and revealed on July 21, 2003. In this plan, United States Forces would conduct frequent military maneuvers to force North Korea to use their resources and finally force North Korea into collapse.

The United States may attack North Korea by ‘misunderstanding and inadvertence.’¹⁴⁹ A case of war caused by misunderstanding by the United States can be

¹⁴⁶ Junghoon Lee, "United States' North Korea Military Strategy has been Changed." donA.com, http://www.donga.com/docs/magazine/shin/2003/08/21/200308210500058/200308210500058_2.html (accessed 02/24/2008).

¹⁴⁷ Four stages of U.S. and South Korean operation is presented by Marine Lt. Gen. Raymond P. The four stages: “pre-North Korean attack, stopping the initial assault, regrouping for a counter-attack and the full-scale invasion of the North, and the entire resources of the U.S. Marine Corps would flow there.”

¹⁴⁸ “OPLAN 5027 Major Theater War - West,” <http://www.globalsecurity.org/military/ops/oplan-5027.htm> (accessed 02/24/2008).

¹⁴⁹ Harrison, Korean Endgame : A Strategy for Reunification and U.S. Disengagement, 118.

found in the Korean War. The United States military pulled back from South Korea in June 1949 and then North Korea invaded South Korea within one year. Why did they retreat from South Korea? The United States may have incorrectly calculated the strategic value of the Korean peninsula and the benefit for the United States from its retreat. They also may have underestimated the strong will of the Soviet Union and North Korea to have war. Former Secretary of State, Dean Acheson, made a speech about the United States' security strategy in the Pacific. In the speech, he said that the United States will guarantee the security of the countries which are inside of the Acheson line: the Aleutians – Japan – Philippines. He also said that the United States cannot guarantee the security of the countries which are outside of the line and that these countries need to firstly protect themselves and secondly depend on the United Nations. Misconceptions of the United States brought misconceptions of North Korea. North Korea thought the United States would not join in the Korean civil war.¹⁵⁰ Another misconception is that the United States may lead to another war on the Korean peninsula.¹⁵¹

Even though the United States made operation plans to attack North Korea and there is a possibility of a North Korean attack by misconception of the United States, it is controversial to say that United States will attack North Korea. Because the United States' policy has been changed from an oppressive policy (neo-conservatism policy) to an engagement policy (realism policy) and South Korea and China will not agree with the United States' attack on North Korea, the possibility of a United States attack has been reduced. Also, since North Korea became a limited nuclear power state, it is more difficult for the United States to attack North Korea. Pakistan's nuclear weapon is a good example. After Pakistan succeeded in nuclear testing, it has shown more bellicosity against India. Even though Pakistan is a weaker state than India, India cannot easily initiate a military response due to the concern of a nuclear war. This situation can be

¹⁵⁰ Sang-Joon An, "Research of the Reasons of the Korean War," Yonsai University (2002), 83.

¹⁵¹ Jack Levy, "Misperception and the Cause of War: Theoretical Linkages and Analytical Problems," *World Politics* 36, no. 1 (1983), 82.

called “limited war.” “Limited war” means that even though a weaker state which has a nuclear weapon commits a military attack on a stronger state, the stronger state can have only a limited military response because of the fear of nuclear war.¹⁵²

2. Positive Factors

a. ROK-U.S. Military Alliance

Diplomatic relations between Korea and the United States were initiated in 1883 by Lucius Harwood Foote, the first diplomatic minister of the United States who was sent to Korea. The United States government had two policies toward Korea which Foote came for. One was independence of Korea and the other was extension of trade rights to American citizens. When he arrived in Korea, the king of Korea danced with joy because of his expectation of freedom from the Qing Dynasty.

But United States – Korea relations have been changed since the Korean War. One opinion of South and North Koreans is that the United States is the ringleader of divided Korea. This dissatisfaction is related to the idea that the United States wanted to retain a divided Korea because of strategic purposes concerning Japan during the Cold War. Also, this dissatisfaction comes from a disagreement with United States’ foreign policy, especially toward North Korea, anger against certain American actions, and some South Koreans’ complaints about United States military presence. The Katsura-Taft Agreement¹⁵³ gives one reason why some Koreans think that the United States views Korea as an auxiliary means for relations between the United States and Japan. Kim Jong Pil, who served as Prime minister of South Korea, said that “American self-interest and

¹⁵² Youngtea Jung, "North Korean Military Policy After North Korean Nuclear Test," Research of Politic Science (2006), 98.

¹⁵³ The Taft-Katsura Agreement was a secret agreement signed between William Howard Taft, United States Secretary of War, and Count Katsura of Japan in July 1905. In the agreement, the United States recognized Japan's sphere of influence in Korea; in exchange, Japan recognized the United States's sphere of influence in the Philippines. The Taft-Katsura Agreement was an initial step that paved the way for the signing of the Treaty of Portsmouth in September 1905. – www.onpedia.com/encyclopedia/Taft-Katsura-agreement (accessed 07/14/2008).

convenience dictated our twin national disaster, the thirty-eighth parallel and the 1953 armistice line.” This young generation’s dissatisfaction is more than the grateful feeling which the older generation has because of the United States’ military participation during the Korean War. Actually, sixty percent of university students answered that the United States hinders Korean unification¹⁵⁴.

The George W. Bush administration’s policy toward North Korea and the Kim Dae-jung administration’s “Sunshine Policy” created relational friction between the United States and South Korea.¹⁵⁵ The Bush administration’s tough policy toward North Korea conflicted with Kim Dae-jung’s soft policy. This friction even worsened because of the 9/11 terrorist attacks. Also, the next administration of South Korea, the Roh Moo-hyun administration, had frequent discord with the Bush administration because of the dispatch of Korean troops to Iraq, the strategic idea of South Korea’s balancing role in Northeast Asia, and the future transfer of wartime control to South Korea. Even though the United States and South Korea are allied states, there has been tension between them. Glenn Snyder explains this situation as a “security dilemma of an alliance.”¹⁵⁶ Glenn Snyder said in the “security dilemma of an alliance” that allied states can increase security because of military cooperation, but they need to sacrifice their autonomy of policy because of alliance. There is trade-off between security and autonomy in the relations of alliance.

After George W. Bush became the president of the United States, the United States propelled the Global Posture Review (GPR). The GPR is the Pentagon’s new military strategy to realign its overseas presence in what it sees as a more efficient,

¹⁵⁴ Gea Chang Cho, "University Students 60% "U.S. Hinders Unification", " Segye Ilbo, <http://www.segye.com/Articles/NEWS/SOCIETY/Article.asp?aid=20041123000593&subctg1=&subctg2=&DataID=200411231155001697> (accessed 07/14/2008).

¹⁵⁵ Edward A. Olsen, *Korea, the Divided Nation* (Westport, Conn: Praeger Security International, 2005), 134.

¹⁵⁶ Hyun Kim, "An Analysis of the Roh Administration's Conflicts with the U.S." *Social Theory* 31, (2007), 39.

flexible and suitable defense system to fit the needs of the 21st century.¹⁵⁷ To carry out this new plan the United States needs to have “Strategic Flexibility” so the United States can quickly send the United States military stationed overseas to the places they want. Also the United States is planning to form a “Northeast Asia Command” in order to defend the Northeast Asian region, including such areas as the Korean Peninsula, the Taiwanese Strait, and Japan.¹⁵⁸

South Korea and the United States have been allied for more than half a century. The alliance has had a new need to be evolved and adapted after the post-Cold War era. The change of national security and global strategy of the United States, change of domestic situation of South Korea, security change in Northeast Asia, and new administrations in the United States and South Korea need a redefined South Korea-U.S. alliance. Strategic change of a South Korea-U.S. alliance will be an important changing point in dealing with North Korea problems. Even if there has been discord between South Korea and the United States, the relations of the two states will be recovered and need to be progressed. On the day of his presidential inauguration, the new president of South Korea, Lee Myung Bak, said, “We will work to develop and further strengthen traditional friendly relations with the United States into a future-oriented partnership based on the deep mutual trust that exists between the two peoples, we will also strengthen our strategic alliance with the United States.” The expectation of better relations between the two states has grown.

South Korea and the United States have been working together for more than a half century. The alliance of the two states has been an important factor in maintaining peace on the Korean peninsula. To have successful state succession from the collapse of North Korea, strengthening the alliance of South Korea and the United States is necessary. As I mentioned earlier, only in the case of North Korea’s request to hand

¹⁵⁷ The Korea Herald, "[EDITORIAL] Command Transfer," The Korea Herald, <http://www.koreaherald.co.kr/> (accessed 02/24/2008).

¹⁵⁸ Seong Ryoul Cho, "The ROK-US Alliance and the Future of US Forces in South Korea," The Korean Journal of Defense Analysis 15, no. 2 (2003), 87.

over its sovereignty to South Korea can South Korea absorb North Korea without other states' intervention. If North Korea collapses not by South Korean forces, but by another state's forces, and if South Korea cannot have leadership in an abruptly collapsed North Korea, South Korea will have difficulties to unify North Korea the way South Korea wants. Because the possibility of North Korea's handing over its sovereignty to South Korea is low, South Korea needs to strengthen international cooperation, especially with the United States. Also, even if North Korea is collapsed, the alliance of the ROK-U.S. will still be needed. There are many Korean peninsula security issues which make the ROK-U.S. alliance necessary, such as disputes of territory and resources, and increasing complexity of balance of power between Japan and China. The United States also needs the ROK-U.S. alliance for the United States' new Northeast Asia strategy, which needs each ally's contributions and burden-sharing.

As I mentioned in Chapter II, a redefined ROK-U.S. alliance is needed. The new alliance should focus on the following.¹⁵⁹ First, the alliance should be transferred from just a military alliance to "a comprehensive security alliance." "A comprehensive security alliance" is not just a military alliance, but also a security alliance dealing with comprehensive dimension such as economic, social, and political dimensions. Second, the alliance should not just focus on regional affairs but focus on all kinds of possible threats such as terrorism, nuclear weapons, and deterrence of mass destruction weapons proliferation. Third, the alliance should not just take a reactive approach to threats but take a proactive preventive approach that responds to threats effectively.

b. Intervention of South Korean Military

If North Korea collapses, can the South Korean military intervene alone? This is an important question, because many South Koreans think that if North Korea

¹⁵⁹ Du-Hyeon Cha, *The Future of the ROK-U.S. Alliance : Toward the Evolution of a Strategic Cooperation Alliance* (Seoul, Korea: Korea Institute for Defense Analyses, 2004), 10.

collapses, North Korea will automatically be part of South Korea. To make a collapsed North Korea be a part of Unified Korea, the South Korean military needs to get into collapsed North Korea and complete at least four missions¹⁶⁰: military operations, civil affairs operations, disarmament of North Korea's military, and disarmament of North Korea's weapons of mass destruction. But the possibility of the South Korean government's solo intervention is not high. As I mentioned in Chapter I, South and North Korea do not recognize each other as a state, even if both Korean constitutions declare that their own country is a state. International society thinks of South and North Korea as separate states because South and North Korea joined the United Nations separately. Also, "OPLAN 5027" includes ROK-U.S. CFC (Combined Forces Command)'s operations preparing for a North Korean collapse, so it will be difficult for the South Korean military to have operations in collapsed North Korea alone. Even though the South Korean government takes back "wartime operation control" in 2012,¹⁶¹ it is very doubtful that the South Korean government can facilitate military operations in a collapsed North Korea alone, because South Korea does not have appropriate operation plans for such a situation. Even though there is a low possibility of the Korean government's solo military intervention, there are some cases the South Korean government can intervene alone.¹⁶² If the North Korean government asks the South Korean government to intervene during the process of a North Korean collapse, the South Korean government can intervene alone. Operation plans between South Korea and the United States can be a problem, but the South Korean government can insist on South Korea's solo intervention because the situation is not a wartime situation. Another situation is if North Korea gives up its government and merges into South Korea. Then, South Korea could have operations in a collapsed North Korea alone.

¹⁶⁰ Kim, *The Korean Military's Roles and Limitations when North Korea Collapses*, 161-167.

¹⁶¹ ROK and U.S. governments decided in the 39th SCM (ROK-US Security Consultative Meeting) that United States will hand back the 'wartime operation control' to South Korea.

¹⁶² Kim, *The Korean Military's Roles and Limitations when North Korea Collapses*, 160.

These cases are low possibilities, but the South Korean government needs to prepare for all possible cases. The South Korean government needs to prepare operation plans for all possible cases and should not just depend on the operational plans prepared by ROK-U.S. Combined Forces Command.

c. Readiness of Korean Military

Before the South Korean government confronts a possible North Korean collapse, the South Korean military should be prepared in military and civil affairs operation areas. The lists of preparation are as follow:

- Military operations
 - Disarmament of North Korean military
 - Controlling WMD and nuclear weapons
- Civil affairs operation
 - Maintaining public security
 - Helping refugees
 - Settlement of public administration

The South Korean government needs to prepare for disarmament operations in North Korea. The North Korean army “remains one of the largest standing armies in Asia, after China and Indonesia, and the fifth largest in the world, approximately one million personnel (the world’s third largest ground force) organized into 32 active infantry divisions; 40,000 – 60,000 in the navy, which has submarines and patrol craft; and an estimated 70,000 – 92,000 in the air force, which also provides anti-aircraft defense. The army has approximately 5,000 tanks, 2,000 armored personnel carriers, 2,400 multiple rocket launchers and 13,000 artillery pieces.” Additionally, there are between 60,000 and

100,000 personnel who are designated as Special Forces and some 115,000 paramilitary forces under the Ministry of Public Security (MPS).¹⁶³ The South Korean military needs to plan ahead to determine how they will utilize the huge number of North Korean military personnel and out-of-date North Korean weapons. North Korean military personnel can be used as industry personnel, and some out-of-date North Korean weapons should be disposed of or could be used in industrial fields.

There is no doubt that North Korea has WMD (Weapons of Mass Destruction) and North Korea insists that does. As the Iraq War has shown, the United States will act aggressively concerning North Korean WMD and nuclear weapons. If North Korea collapses, the first thing the United States will do in North Korea is find and destroy WMD. What is more, the United States may not let any other state join in finding and destroying WMD of North Korea. But, South Korea should be prepared for finding and destroying WMD in case an independent South Korean military operation is required in a collapsed North Korea.

Civil Affairs Operations (CAO) means “those military operations planned, supported, executed, or transitioned by Civil Affairs forces through, with, or by the indigenous population and institutions, intergovernmental organizations, nongovernmental organizations, or other governmental agencies to modify behaviors, to mitigate or defeat threats to civil society, and to assist in establishing the capacity for deterring or defeating future civil threats in support of civil-military operations or other United States’ objectives.”¹⁶⁴ Can South Korea have Civil Affairs Operations in collapsed North Korea? As long as the United States has Wartime Operational Control, it will be difficult for the South Korean government to have CAO in a collapsed North Korea. After getting back the Wartime Operational Control from the United States, the South Korean government will have a greater possibility of having CAO, but it also

¹⁶³ French, North Korea : The Paranoid Peninsula--a Modern History, 222.

¹⁶⁴ Civil Affairs Operations, Public Law U.S. Army Field Manual FM 3-05.40 (FM 41-10), (2006): Glossary-8.

depends on the type of military intervention in collapsed North Korea. However, South Korea can develop reasons why South Korea needs to have a CAO in collapsed North Korea. The reasons can be as follows: the South Korean military had successful CAO in Iraq, and the United States' CAO was not successful in post-Korean War South Korea.

North Korea has had sensitive responses concerning South Korean military dispatch in Iraq because North Korea thinks that the South Korean military is exercising CAO to prepare for a North Korean collapse.¹⁶⁵ Actually, the experience of CAO in Iraq will be very helpful to the South Korean military to having a CAO in collapsed North Korea and also, it will be a good reason why the South Korean military should have a CAO in a collapsed North Korea. Another reason is the unsuccessful operation of the United States military's CAO in post-Korean War South Korea. The United States did not understand South Korean's nationalism. For its convenience, the United States let Japanese officials do administration work in Korea after ending the Japanese colonial period.¹⁶⁶ As a result, the United States military could not receive support from Korea so its CAO was not successful. Koreans' nationalism has not changed; therefore there is reason why the South Korean government should have a CAO in collapsed North Korea.

How should the South Korean government prepare for a CAO in a collapsed North Korea? The South Korean government should prepare for CAO in three areas: maintaining public security, helping refugees, and settlement of public administration.

Maintaining public security will be the main duty for the South Korean military while it conducting a CAO in a collapsed North Korea. To maintain public security, the South Korean military should prevent North Koreans from taking revenge

¹⁶⁵ Hyuk Chul Kwon, "Camp Zaytun 'Delegation of Life Right'?" The Hankyoreh, <http://h21.hani.co.kr/section-021037000/2004/02/021037000200402190497047.html> (accessed 04/28/2008).

¹⁶⁶ Kim, The Korean Military's Roles and Limitations when North Korea Collapses, 163.

on pro-communists. After ending the Japanese colony, there was much revenge-taking, killing pro-Japanese Koreans. Also, after the Korean War, there was much killing of pro-communists or pro-democrats on each side of Korea. There can also be the same tragedy after the collapse of North Korea. Additionally, there will be many refugees. Refugees can make international problems; therefore, the South Korean government should prepare for dealing with North Korean refugees. Dealing with refugees should not be finished by simply giving them shelter. They should be settled, educated, and employed to maintain their livelihood. Finally, the South Korean government needs to settle public administration as soon as possible. To settle public administration quickly in a collapsed North Korea, public administration settlement specialists should be trained before a North Korean collapse. The South Korean government can designate specialists to each area of North Korea so they can be trained more efficiently. Also, North Korean data should be used in South Korean administration systems. For that, standardization of data should be completed. Additionally, cooperation among South Korean organizations is necessary. If they are selfish about sharing the information, settlement of public administration will be delayed in a collapsed North Korea.

C. SOCIAL/ECONOMIC AREA

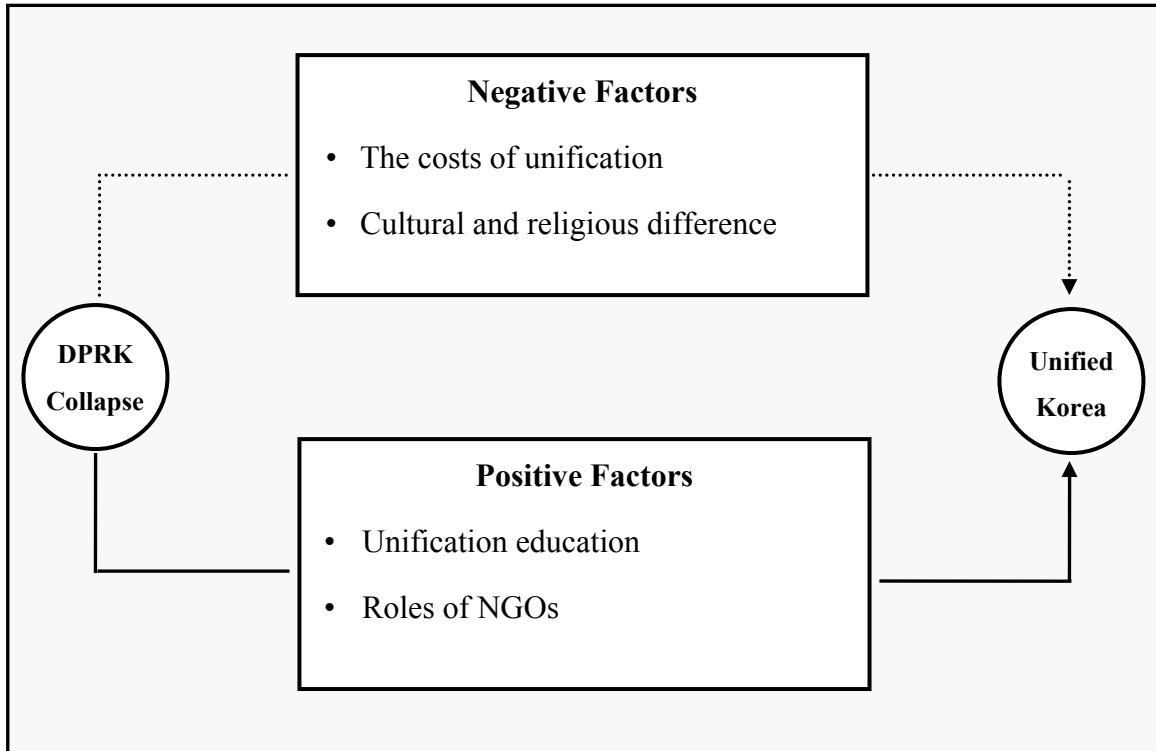


Figure 7. Social Area

a. *The Costs of Unification*

Last year's survey showed that 51.2% of South Koreans agreed to pay the costs of unification and 42.6% of South Koreans disagreed. Three previous years of surveys of positive answers about paying the costs was 73.9% (2005) →78.3% (2006) →51.2% (2007), so the negative answer is growing. Also, about the question regarding whether economic support to North Korea is “cost of unification” or “meaningless waste of money,” “cost of unification” was 46.5% and “meaningless waste of money” was 48.5%. Three previous years of surveys of negative answers about the question was

54.2% (2005) → 64.5% (2006) → 48.6% (2007) so negative answers have been superior to positive answers.¹⁶⁷ Because of economic decline in South Korea, South Koreans are not willing to pay the costs of unification. If North Korea suddenly collapses, the cost will be higher than a gradual process, and then South Koreans may not agree with a costly unification. South Koreans already saw the case of German unification. When West Germany absorbed East Germany, the cost was much higher than expected.¹⁶⁸ South Korea estimated the cost of unification resulting from a North Korean collapse. The estimate was more than 2 trillion dollars, but if the economic gap is deeper, the cost will be more than that.¹⁶⁹

The South Korean government has confronted two problems concerning the costs of unification. First, the South Korean government needs to gain South Koreans' the people's consent to paying the costs of unification, and secondly, the South Korean government should make an effort to reduce the costs of unification. To gain South Korean consent, the costs of maintaining division versus unification should be compared. An official of the Ministry of Unification, Hong Sung Kook said "The more time that passes, the more the costs of maintaining division will be increased." Also, a professor of Yonsei University, Jung Gap Young said that the costs of maintaining division were 5.95% of Korean GDP in 1995.¹⁷⁰ The costs must be more in 2008 than the costs of 1995. As unification is delayed, the economic burden to the South Koreans is increasing. Therefore, the South Korean government can require the people's consent. As Kim Dae Jung said in an interview in 200, the costs of unification are one of the big obstacles of unification. He said "unification is only a matter of time. But for now, there

¹⁶⁷ The survey was conducted from 30 November 2007 to 2 December 2007 with 1,015 of more than 19 years old males and females by the Policy and Research (95%, ±3.1 point).

¹⁶⁸ Harrison, *Korean Endgame : A Strategy for Reunification and U.S. Disengagement*, 96.

¹⁶⁹ Olsen, *Korea, the Divided Nation*, 163.

¹⁷⁰ Kyung Hwan Moon, "Division Encroaches the Livelihood of the People," *The Solidarity for Practice of the South-North Joint Declaration*, http://www.615.or.kr/board/view.php?&bbs_id=jung&page=&doc_num=89 (accessed 04/29/2008).

are more negatives than positives because we are currently not capable of economically supporting North Korea.”¹⁷¹ To reduce the costs of unification, the economic gap between South and North Korea should be reduced. The economic gap of the two Koreas is huge, as we can see in the Table 5.

Table 5. Comparing South and North Korean Economic Strength

| | Unit | N.K. | S.K. | South Korea / North Korea | Similar time of S.K. |
|--------------------------------------|-----------------|--------|--------|------------------------------|-------------------------|
| Population | 1,000 | 22.709 | 48.082 | 2.1 | Late 50s |
| GNI | 100,000 dollars | 208 | 6,810 | 32.8 | Mid 70s |
| GNI/1person | 1 dollar | 914 | 14,162 | 15.5 | Mid 70s |
| Amount of trade | 100,000 dollars | 28.6 | 4,783 | 167.2 | Late 60s |
| GNI / Amount of trade | % | 13.8 | 70.2 | 5.1 | |

Source: The Korea Development Bank (2005)

Economic inter-change between the two Koreas should be extended. South-North economic inter-change has been accelerated since the Kaesong Industrial Region was formed in 2002. According to the Ministry of Unification, the total output of the Kaesong Industrial Complex was over \$399.7 million since 2005 and there were 69 companies and 23,953 North Korean workers in February 2008.¹⁷² This kind of

¹⁷¹ Harrison, Korean Endgame : A Strategy for Reunification and U.S. Disengagement, 99.

¹⁷² YonhapNews, "Kaesong Industrial Complex Companies' Total Output Exceeded \$339.7 Million," Chosun News, http://nk.chosun.com/news/news.html?ACT=detail&res_id=104595&page=1 (accessed 04/29/2008).

economic cooperation will help to reduce the economic gap between two Koreas and also, it will help North Koreans stay in North Korea and get jobs in a unified Korea.

b. Social and Religious Differences

Even though many South Koreans agree with unification, most people do not feel intimacy and even feel awkward about living with North Koreans. In 2007, a survey asked the question “What should the South Korean government focus on to prepare unification?” Thirty-seven percent of people answered “preparing for social and cultural shock” and 22.5% of people answered “reducing unification costs.”¹⁷³ Preparing for social and cultural shock was the most important thing to be prepared for before unification. This result showed that the South Korean government needs to focus on reducing social differences. Therefore, to lead a collapsed North Korea to a successful unified Korea, the South Korean government should make an effort to reduce social differences between the two Koreas and complete social unification.

According to Lee U Young, a professor of Kyungnam University, social unification is defined as “the situation of living together of two separated people who overcame conflicts and differences of the two people.”¹⁷⁴ Then, what are the conflicts and differences of the two people? First, South Korea has individualistic cultural features while North Korea has special features of groupism based on Kim Il Sung’s ideology. Secondly, South Korean culture can absorb a variety of cultures of the world, but North Korea has a closed culture based on “Juche” ideology. Thirdly, while South Korea has a civil society, North Korea has a dominating society based on a patrimonial regime. There are additional differences, such as language, recent history, and sense of values.

¹⁷³ The survey was conducted from 3 May 2007 to 5 May 2007 with 1,000 of more than 19 years old males and females by the MRC Korea (± 3.1 point).

¹⁷⁴ U. Young Lee, "Critical Examination of the Concept of Social Unification" The Institute for Far Eastern Studies), 6.

To reduce the social differences and complete social unification, the socio-cultural community of the two Koreas should be built. The socio-cultural community has been discussed in ‘Korean community unification (1989).’ This plan had three steps of unification, and the socio-cultural community was the first step. Since 1989, the efforts to build a socio-cultural community have been made. The South Korean government announced the Five Basic Principles for Inter-Korean Cultural Exchanges in February 1990 and the government enacted and announced the Inter-Korean Exchanges and Cooperation Act in August 1990. Even though the South Korean government has made efforts to build a socio-cultural community, there are still obstacles. The major obstacle is mutual distrust. Therefore, the South Korean government should make an effort to accumulate and gain mutual trust with North Korea.

The United States religious statistics website www.adherents.com announced the top 10 religions in the world. Among the 10 religions, North Korean “Juche” was the 10th religion. Also, Onnuri Church Pastor Ha said that “North Korean communist party officials use the term Trinity when they speak about Kim Il Sung, communist party, and the people of North Korea,” and there is a line in the North Korean “Immortality Tower” that says “Dear Kim Il Sung is living with us forever.”¹⁷⁵ North Korean “Juche” is more than ideology. It is a religion. According to KOSIS (Korean Statistical Information Service), the people who have no religion make up 46.5% and the people who have religion makes up 53.1%. (Of South Koreans: Buddhism 43.0%, Protestant 34.5%, Catholic 20.6%, Confucianism 0.4%, Won-Buddhism 0.5%, and other 1.0%)¹⁷⁶ South Koreans would not let “Juche” be a part of unified Korean religion therefore, “Juche” will be one of the main obstacles of social unification when Korea is unified resulting from collapse of North Korea.

¹⁷⁵ Voanews.com, "Scientists of Religion 'North Korean Juche Became Religion with Idolizing the Leader'," <http://www.voanews.com/Korean/archive/2007-05/2007-05-09-voa9.cfm> (accessed 04/30/2008).

¹⁷⁶ KOSIS, “Homepage of KOSIS,” <http://www.kosis.kr/search/totalSearch2.jsp?detailSearch=block&query=한국%20종교%20분포> (accessed 04/30/2008).

2. Positive Factors

a. Unification Education

South Korean unification education has focused on anti-communism education so it has made South Koreans have antipathy toward North Korea. Also, due to the cost of unification which comes from North Korean economic difficulty, South Koreans are becoming less positive concerning unification. To prepare for a North Korean collapse and following unification, the South Korean government needs to revise unification education. Unification education will have important roles in building consensus and support concerning unification among South Koreans.

According to the “Unification Education Support Law (1999),” unification education means “all sorts of education which are based on the faith of liberty-democracy, ethnic community spirit, a healthy view of national security and have the purpose of building a sense of values and behavior which are needed to complete unification.”¹⁷⁷ Also, it has basic principles: 1) “Unification Education should be conducted with the direction of guarding liberty-democratic basic orders and heading to peaceful unification.” 2) “Unification Education should not be used for personal and factional purposes.”¹⁷⁸

On the contrary, South Korean unification education has had the following problems:

- Unification education has been the cramming system of education;
- It has been the education to make students hate communism;

¹⁷⁷ Unification Education Support Law, Public Law NO. 5752, (1999): Article 2.

¹⁷⁸ Ibid., Article 3.

- Teaching aids are limited so it is difficult to understand North Korea correctly; and
- Unification education is not future oriented.

South Korean students study the subject of unification only for test-taking purposes, so they just memorize the words in their textbooks. They do not have enough understanding about why communism is wrong and why North Korea has different unification policies from South Korea, but memorize the names and dates of unification policies. This narrow understating of unification and North Korea can give students the wrong view point of unification and allow them to be deceived by North Korean propaganda maneuvers. Also, teachers who teach unification education subjects have difficulty obtaining teaching aids on North Korean because of difficult security systems.¹⁷⁹ Lastly, the unification education is not future- oriented. South Korean unification education should deal with not only unification policies, security problems, and the real aspects of North Korea, but also possible problems in unified Korea, the ability to persuade North Koreans of the superiority of democracy, and the ways to live with North Koreans.

After a Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) announced the guiding principle of unification education (*Empfehlungen zur Behandlung der deutschen Frage im Unterricht*) in school, systematic unification education was started in West Germany. This guiding principle of unification education consists of six chapters and the main features are as follows:¹⁸⁰

- The purposes of unification education in West Germany were calling the younger generation's attention to unification, having a deeper

¹⁷⁹ Oyoon Kwon, "Problems of the Education for Korean Unification," *Korean People Ethics Institute* 45, no. 1 (2000), 371.

¹⁸⁰ Song Il Kim, "Groping New Direction of Unification Education," *The Journal of Social Science* 4, no. 1 (1994), 139-142.

understanding of East Germany's actual circumstances, and establishing national homogeneity between East and West Germany

- Unification education was not just focused on studying unification theories, but also on building the abilities of problem solving in unified Germany
- Germany means West Germany + East Germany, therefore, West Germany emphasized national homogeneity and necessity of unification
- West German unification education allows students to naturally realize the superiority of West German systems in comparison to East German systems

Besides school unification education, there were other unification education institutions in Western Germany. The Federal Minister of Intra-German Relations (Bundesminister für innerdeutsche Beziehungen) was the most active institution among them. The activities of this institution are as follows:¹⁸¹

- Collecting data about German problems and offering them to students;
- Manufacturing films concerning East German actual circumstances and lending them to students;
- Holding seminars concerning German unification, comparing the two systems, problems of the two German relationships, etc.; and
- Offering advice to West German people concerning East German tours of the country, sending letters to East Germany, East German people's immigration to West Germany, and so on.

¹⁸¹ Chang Whan Kim, "Analysis of German Schools and Society Unification Education Program Development and Operation in Actual Conditions" (The Ministry of Unification), 114-115.

Looking West German unification education gives many suggestions as to how South Korean unification education can be improved. For example:

- South Korean unification education is for recovery of national homogeneity;
- South Korean government needs to offer students correct and objective actual circumstances of North Korea;
- Unification education should slough off anti-communist education and build the ability of criticism by deep understanding of North Korea;
- Unification education should focus not only on current issues of North Korea but also future issues in unified Korea;
- The South Korean government needs to offer several teaching aids such as films, seminars, and other materials; and
- Unification education should be conducted not only by schools but also social institutions.

Unification does not just mean unifying two states' systems, but also means recovery of national homogeneity. Even if South and North Korea unified systematically, the unification is not completed. Completing national homogeneity and the socio-cultural community is the last step of unification. Therefore, the South Korean government needs to have long-term plans for unification education. Unification education should not be used for government's political purposes and it should not change as administration changes.

b. Roles of NGOs

To build a socio-cultural community, NGOs (Nongovernmental organization) have significant roles. Since the 1990s, NGO's activities have been

increased¹⁸² due to the end of the Cold War and NGOs have contributed to the increase in socio-cultural interchange and public interest, loosening tension between the two Koreas, leading North Korea to open the door, and accumulating mutual trust.¹⁸³ The importance of NGOs is also shown in the case of German unification. After West and East Germany concluded, “the treaty concerning the basis of relations between the Federal Republic of Germany and the German Democratic Republic (Basic Treaty)” in 1972, NGOs activities accelerated in sports, culture, and several other areas. After concluding the treaty, 5 million East German people visited West Germany each year. The purposes for visiting were various: visiting family, taking tours, watching cultural performances, and so on. West and East Germans could watch each other’s TV programs. Thanks to these interchanges, West and East Germany could even build a socio-cultural community and mutual trust which became the concrete basis for German unification after East German collapse.¹⁸⁴

South and North Korean human and material interchange has increased because of South Korean democratization, North Korean request of aid, and the “Sunshine Policy.”

¹⁸² Number of NGOs which registered by the Ministry of Unification: 50(1998) → 82(2000) → 95(2001).

¹⁸³ Gabriel Jonsson, *Towards Korean Reconciliation : Socio-Cultural Exchanges and Cooperation* (Hampshire, England; Burlington, VT: Ashgate, 2006), 142.

¹⁸⁴ Younglea Kim, "The Role of NGOs in Reconciliation Era of South and North Korea," *Research Institute of Unification Problems* 14, (2001), 12.

Table 6. Human and Material Interchange between the Two Koreas

1. Human interchange

(Unit: person)

| Year | '89~'99 | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 |
|---------------|---------|-------|-------|--------|--------|--------|--------|---------|---------|
| South → North | 11,321 | 7,280 | 8,551 | 12,825 | 15,280 | 26,213 | 87,028 | 100,838 | 158,170 |
| North → South | 637 | 706 | 191 | 1,052 | 1,023 | 321 | 1,313 | 870 | 1,044 |
| Sum | 11,958 | 7,986 | 8,742 | 13,877 | 16,303 | 26,534 | 88,341 | 101,708 | 159,214 |

* South Korean tourists are not included

2. Shipping

(Unit: times, 10,000ton)

| Year | '94-99 | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 |
|--------------------|--------|-------|-------|-------|-------|-------|-------|-------|--------|
| Shipping times | 3,399 | 2,073 | 1,686 | 1,827 | 2,022 | 2,124 | 4,497 | 8,401 | 11,891 |
| Amount of shipping | 326 | 70 | 64 | 109 | 105 | 111 | 680 | 1,631 | 2,511 |

(Source: The Ministry of Unification)

South and North Korean human and material interchange will increase in the future so NGO's role will be more important for South and North Korean unification as we saw in the German case. To increase NGO's role for unification, the South Korean government needs to do such works as follows:

- The South Korean government needs to amend laws and systems which have been obstacles for NGO's activities;
- Networks among NGOs should be made to information about North Korean;
- NGO's activities and governmental policies should be separated and NGO's activities should be affected by the government;
- NGO should be specialized in North Korean problems; and
- NGO should have South Korean and government's support.

Recent North Korean nuclear problems made North and South Korean relations worse and made it difficult to accumulate mutual trust. Also, North Korea - U.S. relations make it difficult to anticipate future South and North Korean relations. Therefore, NGOs' activities are becoming more important for building a socio-cultural community and preparing for unification.

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V. CONCLUSION

One potential scenario regarding the future of North Korea is state collapse and unification with South Korea. Effectively isolated from the international community and the world economy, bereft of the great power patronage that it once enjoyed from the Soviet Union and China, and enduring economic shortages and distress, Pyongyang faces challenges that may cumulatively lead to its dissolution. Were collapse to occur, many surmise, unification with the South seems a plausible consequence and many South Koreans expect the consequence.

However, unification of the Korean peninsula by the South's absorption of the North, faces numerous obstacles. There are many possible legal and institutional issues that would be raised by collapse of North Korea and that would in turn figure into prospects for unification with the South.

These include:

- South and North Korea's membership as sovereign states in the United Nations;
- Historical issues stemming from the Korean War, including the continuing relevance of the United Nations and Combined Forces Commands; and
- Legal stipulation incorporated into past North-South agreements, such as the 1992 "Inter-Korean Basic Agreement."

Adding to the complexity of these issues is the geopolitical context in which their resolution must be addressed. In addition to the goals and policies of Seoul and Washington in dealing with state collapse in North Korea, the concerns and approaches of Beijing, Moscow, and Tokyo will also have an impact on how these legal and institutional questions are solved.

Given these complex issues, it is not a foregone conclusion that North Korea, following collapse, may easily be incorporated into a unified Korean state under Seoul's direction. Therefore, I suggest that the South Korean government needs to prepare for a North Korean collapse which could lead a possibly unified Korean state in Seoul's direction. The suggestions for preparation can be categorized into three areas: political/diplomatic, military, and social/economic.

Recent reports concerning North Korea say that North Korean leader Kim Jong-Il's health is not as good as before, and many North Korean specialists carefully anticipate that this may bring a struggle for political power. Considering the situation, no one can confidently anticipate the situation of North Korea in the future. Therefore, it is the right time for the South Korean government to consider all possibilities and prepare for all possible situations. With these efforts, a unified Korean state can be directed in Seoul's direction.

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